THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
FEDERAL REGISTER
OF THE UNITED STATES 1934

VOLUME 13 NUMBER 95

Washington, Friday, May 14, 1948

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration, Department of Agriculture

Subchapter F—Banks for Cooperatives

[Order 479]

PART 70—LOAN INTEREST RATES AND SECURITY

INTEREST RATES ON LOANS

Sections 70.90, 70.90–50, and 70.90–51 of Title 6 of the Code of Federal Regulations are hereby amended to read as follows:

§ 70.90 *Interest rate on continental loans for financing operations.* The per annum rate of interest on all loans, other than upon the security of commodities, made on and after the dates stated below, by the district banks for cooperatives, for the purposes specified in section 7 (a) (1) of the Agricultural Marketing Act, as amended (sec. 7, 46 Stat. 14; 12 U. S. C. 1141e) shall be as follows:

Rate (percent)	Effective date	District bank for cooperatives
2½	Feb. 24, 1939	Omaha.
2¾	Dec. 1, 1947	St. Louis.
3	Feb. 1, 1948	Spokane.
3	Mar. 1, 1948	New Orleans and Houston.
3	Apr. 1, 1948	Springfield, Baltimore, Columbia, Wichita, and Berkeley.
3	May 1, 1948	St. Paul.
3	July 1, 1948	Louisville.

§ 70.90–50 *Interest rate on continental commodity loans.* Except as specified in § 70.90–51, the per annum rate of interest on all loans made upon the security of commodities on and after the dates stated below by the district banks for cooperatives for the purposes specified in section 7 (a) (1) of the Agricultural Marketing Act, as amended (sec. 7, 46 Stat. 14; 12 U. S. C. 1141e), shall be as follows:

Rate (percent)	Effective date	District bank for cooperatives
1½	Feb. 24, 1939	Omaha.
1¾	Dec. 1, 1947	St. Louis.
2	Feb. 1, 1948	Spokane.
2	Mar. 1, 1948	New Orleans and Houston.
2	Apr. 1, 1948	Springfield, Baltimore, Columbia, Wichita, and Berkeley.
2	May 1, 1948	St. Paul.
2	July 1, 1948	Louisville.

§ 70.90–51 *Interest rate on continental loans and loans made in Puerto Rico secured by Commodity Credit Corporation loan documents.* The rate of interest on loans made on and after the dates stated below, by the district banks for cooperatives upon the security of approved Commodity Credit Corporation loan documents, shall be as follows:

Rate (percent)	Effective date	District bank for cooperatives
1½	June 30, 1947	Omaha.
1¾	Dec. 1, 1947	St. Louis.
2	Feb. 1, 1948	Spokane.
2	Mar. 1, 1948	New Orleans and Houston.
2	Apr. 1, 1948	Springfield, Baltimore, Columbia, Wichita, and Berkeley.
2	May 1, 1948	St. Paul.
2	July 1, 1948	Louisville.
2½	Apr. 1, 1948	Baltimore—loans in Puerto Rico.

(Sec. 8, 46 Stat. 14, as amended; 12 U. S. C. 1141f)

[SEAL] I. W. DUGGAN, *Governor.*

MAY 7, 1948.

[F. R. Doc. 48–4348; Filed, May 13, 1948; 8:49 a. m.]

TITLE 7—AGRICULTURE

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

PART 418—WHEAT CROP INSURANCE

SUBPART—REGULATIONS FOR CONTINUOUS CONTRACTS COVERING 1949 AND SUCCEEDING CROP YEARS

The Federal Crop Insurance Program is part of the general program of the United States Department of Agriculture administered for the benefit of agriculture.

By virtue of the authority vested in the Federal Crop Insurance Corporation by the Federal Crop Insurance Act, as amended, these regulations are hereby published and prescribed to be in force and effect with respect to continuous wheat crop insurance contracts for 1949 and succeeding crop years, until amended or superseded by regulations hereafter made.

To the extent stated in § 418.166 the provisions of this subpart supersede the

(Continued on p. 2609)

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B) under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

Wheat Crop Insurance Regulations for Continuous Contracts Covering 1948 and Succeeding Crop Years (Yield Insurance (12 F. R. 8363)

AUTHORITY: §§ 418.151 to 418.168, inclusive, issued under secs. 506 (c), 507 (c), 508, 509, and 516 (b), 52 Stat. 73–75, 77, 61 Stat. 718; 7 U. S. C. 1506 (c), 1507 (c), 1508, 1509, 1516 (b).

§ 418.151 *Availability of wheat crop insurance.* (a) Wheat crop insurance under continuous contracts for the 1949 and succeeding crop years will be provided only in accordance with this subpart in not to exceed 198 counties. A list of these counties will be published by amendment to this section.

(b) Insurance on either a commodity coverage basis or a monetary coverage basis may be offered under this subpart. However, insurance on only one such basis will be provided in a county. The type of coverage applicable to each county will be designated (1) by the Corporation and shown on the county actuarial table and (2) by amendment to this section.

(c) Insurance will not be provided with respect to applications for wheat insurance filed in a county in accordance with this subpart unless such written applications, together with wheat crop insurance contracts in force for the ensuing crop year, cover at least 200 farms in the county or one-third of the farms normally producing wheat. For this purpose an insurance unit shall be counted as one farm.

§ 418.152 *Coverages per acre.* The Corporation shall establish coverages per acre by areas which shall not be in excess of the maximum limitations prescribed in the Federal Crop Insurance Act. Coverages so established shall be shown on the county actuarial table and shall be on file in the county office and may be revised from year to year as the Corporation may elect. The coverage per acre for any specific acreage shall be the coverage (for the applicable farming practice, if any) approved by the Corporation for the coverage and rate area in which the acreage is located.

§ 418.153 *Premium rates.* The Corporation shall establish premium rates per acre by areas for all acreage for which coverages are established and such rates shall be those deemed adequate to cover claims for wheat crop losses and to provide a reasonable reserve against unforeseen losses. Premium rates so established shall be shown on the county actuarial table and shall be on file in the county office and may be revised from year to year as the Corporation may elect. The premium rate per acre for any specific acreage shall be the premium rate (for the applicable farming practice, if any) approved by the Corporation for the coverage and rate area in which the acreage is located.

§ 418.154 *Application for insurance.* Application for insurance on a form entitled "Application for Wheat Crop Insurance" may be made by any person to cover his interest as landlord, owner-operator, or tenant, in a wheat crop. For any crop year applications shall be submitted to the county office on or before the following applicable closing date preceding such crop year.

State and county:[1]	Date
California	Sept. 15
Colorado	Aug. 31
Idaho	Sept. 15
Illinois	Do.
Indiana	Do.
Kansas	Aug. 31
Maryland	Sept. 15
Michigan	Do.
Minnesota:	
Dakota	Do.
All other counties	Mar. 15
Missouri	Sept. 15
Montana:	
Chouteau	Aug. 31
Fergus	Do.
Hill	Do.
Judith Basin	Do.
Liberty	Do.
Pondera	Do.
Daniels	Mar. 15
McCone	Do.
Roosevelt	Do.
Sheridan	Do.
Valley	Do.
Nebraska	Aug. 31
New Mexico	Do.
New York	Sept. 15
North Dakota	Mar. 15
Ohio	Sept. 15
Oklahoma	Aug. 31
Oregon	Sept. 15
Pennsylvania	Do.
South Dakota:	
Meade	Aug. 31
Tripp	Do.
All other counties	Mar. 15
Texas	Aug. 31
Utah	Sept. 15
Washington	Do.
Wyoming	Aug. 31

[1] If no county name(s) appears for a state, the closing date shown for such state is applicable to all counties designated for that state.

§ 418.155 *The contract.* Upon acceptance of an application for insurance by a duly authorized representative of the Corporation, the contract shall be in effect and will consist of the application and the policy issued by the Corporation.

The provisions of the commodity coverage policy are shown in § 418.167 and the provisions of the monetary coverage policy are shown in § 418.168.

§ 418.156 *Reduction of commodity coverage premium based on good experience.* The insured's annual premium for commodity coverage insurance may be reduced in any year not to exceed 50 percent, if it is determined by the Corporation that the accumulated balance (expressed in bushels) of premiums over indemnities on consecutively insured crops exceeds his total coverage (on a harvested acreage basis) As used in this section, "consecutively insured crops" means the wheat crops insured in consecutive years (ending with the current crop year) but excluding the 1945 crop if no application for insurance was submitted. Failure to apply for insurance in any year, except 1945, shall render any person ineligible for the benefits of any premium balance accumulated prior to such year if insurance is offered in the county in which such person's farm is located, even though insurance may not be provided in the county during such year because of failure to meet the minimum participation requirement: *Provided, however* That failure to submit an application for insurance for any year will not render a person ineligible for the benefits of this section, if (a) the failure to submit an application was due to service in the active military or naval service of the United States, or (b) the insured established to the satisfaction of the Corporation, prior to the applicable 1946 maturity date, that failure to submit an application for any crop year prior to 1946 was due to the fact that wheat was not seeded in that year. Nothing in this section shall create in the insured any right to a reduced premium.

§ 418.157 *Person to whom indemnity shall be paid.* (a) Any indemnity payable under a contract shall be paid to the insured or such other person as may be entitled to the benefits of the contract under the provisions of this subpart, notwithstanding any attachment, garnishment, receivership, trustee process, judgment, levy, equity, or bankruptcy directed against the insured or such other person, or against any indemnity alleged to be due to such person; nor shall the Corporation or any officer, employee, or representative thereof, be a proper party to any suit or action with reference to such indemnity, nor be bound by any judgment, order, or decree rendered, or entered therein. No officer, agent, or employee of the Corporation shall, because of any such process, order, or decree, pay or cause to be paid to any person other than the insured or other person entitled to the benefits of the contract, any indemnity payable in accordance with the provisions of the contract. Nothing herein contained shall excuse any person entitled to the benefits of the contract from full compliance with, or performance of, any lawful judgment, order, or decree with respect to the disposition of any sums paid thereunder as an indemnity.

(b) The determination of the Corporation as to the existence or nonexistence of a circumstance in the event of which indemnity payment may be made and of the person(s) to whom such payment will be made shall be final and conclusive and payment of an indemnity to such person(s) shall constitute a complete discharge of the Corporation's obligation with respect to the loss for which such indemnity is paid and settled and shall be a bar to recovery by any other person.

§ 418.158 *Public notice of indemnities paid.* The Corporation shall provide for the posting annually in each county at the county courthouse of a list of indemnities paid for losses on farms in such county.

§ 418.159 *Death, incompetence, or disappearance of insured.* (a) If the insured dies, is judicially declared incompetent, or disappears after seeding the wheat crop in any year but before the time of loss, and his insured interest in the wheat crop is a part of his estate at such time, or if the insured dies, is judicially declared incompetent, or disappears subsequent to such time, the indemnity, if any, shall be paid to the legal representative of his estate, if one is appointed or is duly qualified. If no such representative is or will be so qualified the indemnity shall be paid to the persons beneficially entitled to share in the insured interest in the crop or to any one or more of such persons on behalf of all such persons: *Provided, however* That if the indemnity exceeds $500, the Corporation may withhold the payment of the indemnity until a legal representative of the insured's estate is duly qualified to receive such payment.

(b) If the insured dies, is judicially declared incompetent or disappears after the seeding of the wheat crop in any year but before the time of loss, and his interest in the crop is not a part of his estate at such time, the indemnity, if any, shall be paid to the person(s) who succeeded to his interest in the crop in the manner provided for in the wheat crop insurance policy.

(c) If an applicant for insurance or the insured, as the case may be, dies, is judicially declared incompetent, or disappears less than 15 days before the applicable calendar closing date for the filing of applications for insurance in any year, and before the beginning of seeding of the wheat crop in such year, whoever succeeds him on the farm with the right to seed the wheat crop as his heir or heirs, administrator, executor, guardian, committee or conservator, shall be substituted for the original applicant or the insured upon filing with the county office, within 15 days (unless such period is extended by the Corporation) after the date of such death, judicial declaration, or termination of the period which establishes disappearance within the meaning of this subpart, or before the date of the beginning of seeding, whichever is earlier, a statement in writing in the form and manner prescribed by the Corporation, requesting such substitution and agreeing to assume the obligations of the original applicant or the insured arising out of such application or the contract; *Provided, however* That any substitution made pursuant to this paragraph shall be effective only with respect to the wheat crop to be seeded in the ensuing crop year, and the contract shall terminate at the end of such year. If no such statement is filed, as required by this paragraph, the original application or contract shall be void.

(d) In case of death of the insured after the seeding of either winter or spring wheat is begun for any crop year, any additional acreage of that type of wheat (winter or spring) which is seeded for the insured's estate for that crop year shall be covered by the contract.

(e) Subject to the provisions of paragraph (c) of this section, the contract shall terminate upon death, judicial declaration of incompetence, or disappearance of the insured, except that if such death, judicial declaration of incompetence, or disappearance occurs after the seeding of the wheat crop in any crop year but before the end of the insurance period for such year, the contract shall terminate at the end of such insurance period.

(f) The insured shall be deemed to have disappeared within the meaning of this subpart if he fails to file with the county office written notice of his new mailing address within 180 calendar days after any communication by or on behalf of the Corporation is returned undeliverable at the last known address of the insured.

§ 418.160 *Fiduciaries.* Any indemnity payable under a contract entered into in the name of a fiduciary who is no longer acting in such capacity at the time for the payment of indemnity will be made to the succeeding fiduciary upon appropriate application and proof satisfactory to the Corporation of his incumbency. If there is no succeeding fiduciary, payment of the indemnity shall be made to the persons beneficially entitled under this subpart to the insured interest in the crop, to the extent of their respective interests, upon proper application and proof of the facts: *Provided, however,* That the settlement may be made with any one or more of the persons in behalf of all the persons so entitled, whether or not the person to whom payment is made has been authorized by the other interested persons to receive such payment.

§ 418.161 *Assignment or transfer of claims for refunds of excess note payments not permitted.* No claim for a refund of an excess note payment or any part thereof, or any interest therein, shall be assignable or transferable, notwithstanding any assignment of the contract or any transfer of interest in any wheat crop covered by the contract. Refund of any excess note payment will be made only to the person who made such payment, except as provided in § 418.162.

§ 418.162 *Refund of excess note payment in case of death, incompetence, or disappearance.* In any case where a person who is entitled to a refund of an excess note payment has died, has been judicially declared incompetent, or has disappeared, the provisions of § 418.160 with reference to the payment of indemnities in any such case shall be applicable with respect to the making of any such refund.

§ 418.163 *Creditors.* An interest (including an involuntary transfer) in an insured wheat crop because of the existence of a debt, lien, mortgage, garnishment, levy, execution, bankruptcy, or other process shall not entitle any holder of any such interest to any benefits under the contract.

§ 418.164 *Changes from or to partial insurance protection.* In the case of commodity coverage insurance, an insured may elect to change from maximum protection to 65 percent of the maximum protection available under the contract, or to range from 65 percent protection to maximum protection. Request for such change shall be made on a form entitled "Agreement" filed with the Corporation on or before the applicable cancellation date of any year. Upon acceptance by the Corporation of such form the change shall become effective beginning with wheat seeded for harvest in the next calendar year.

§ 418.165 *Rounding of fractional units.* In the case of commodity coverage insurance, the premium shall be rounded to the nearest tenth of a bushel and the total coverage to the nearest bushel. In the case of monetary coverage insurance, the premium, the total coverage and the value of the total production shall be rounded to the nearest cent. In any case, total production shall be rounded to the nearest bushel. Fractions of acres shall be rounded to the nearest tenth of an acre. Computations shall be carried through the digit that is to be rounded. If the digit to be rounded is 1, 2, 3 or 4, the rounding shall be downward. If the digit to be rounded is 5, 6, 7, 8 or 9, the rounding shall be upward.

§ 418.166 *Changes in continuous contracts covering the 1948 and succeeding crop years.* If the insured had a continuous wheat crop insurance contract in force for the 1948 and succeeding crop years, and the contract has not been canceled pursuant to § 418.104 of the applicable regulations (12 F. R. 8363) the contract for the 1949 and succeeding crop years shall consist of the previously accepted application for insurance and the policy issued in accordance with this subpart. Such policy shall be mailed to the insured at least 15 days prior to the applicable cancelation date shown in the policy.

§ 418.167 *The commodity coverage policy.* The provisions of the commodity coverage policy are as follows:

In consideration of the representations and provisions in the application upon which this policy is issued, which application is made a part of the contract, and subject to the terms and conditions set forth or referred to herein, the Federal Crop Insurance Corporation (hereinafter designated as the Corporation) does hereby insure

Name	Policy Number

Address	County	State

(Hereinafter designated as the insured)

against loss of production on his wheat crop while in the field, due to unavoidable causes including drought, flood, hail, wind, frost, winter-kill, lightning, fire, excessive rain, snow, wildlife, hurricane, tornado, insect infestation, plant disease and such other unavoidable causes as may be determined by the Board of Directors of the Corporation. (For irrigated acreage, see section 32.) In witness whereof, The Federal Crop Insurance Corporation has caused this policy to be issued this _____ day of _____, 19____.

FEDERAL CROP INSURANCE CORPORATION
By _____
State Crop Insurance Director

TERMS AND CONDITIONS

1. *Kinds of wheat insured.* The wheat to be insured shall be winter and spring wheat seeded for harvest as grain. If the insured seeds only a part of his wheat for harvest as grain in any year of the contract, he shall submit with his acreage report of wheat seeded a designation of any acreage of wheat seeded for any purpose other than harvest as grain. Upon approval of the Corporation, the acreage used in computing the premium and total coverage shall not include acreage so designated. However, any wheat threshed from such acreage shall be considered as wheat produced on the insured acreage in determining any loss under the contract. The contract shall not provide insurance for volunteer wheat, wheat seeded with a mixture of flax or other small grains, vetch, Austrian winter peas, dry edible peas, or a type of wheat which the Corporation determines is not adapted to the area. However, in determining production, volunteer small grains, volunteer vetch, volunteer Austrian winter peas and volunteer dry edible peas growing with the seeded wheat crop, and small grains seeded with the growing wheat crop on acreage not released by the Corporation, shall be counted as wheat.

2. *Insurable acreage.* For each crop year of the contract, any acreage is insurable only if a coverage is shown therefor on the county actuarial table (including maps and related forms) on the applicable calendar closing date for filing applications for that crop year, provided the farming practice followed on such acreage is one for which a coverage was established.

3. *Responsibility of insured to report acreage and interest.* (a) Promptly after seeding wheat (winter or spring) each year, the insured shall submit to the Corporation, on a form entitled "Wheat Crop Insurance Acreage Report," a report over his signature of all acreage in the county seeded to wheat in which he has an interest at the time of seeding. This report shall show the acreage of wheat for each insurance unit and his interest in each at the time of seeding. If the insured does not have an insurable interest in wheat seeded in any year, the acreage report shall nevertheless be submitted promptly after the seeding of wheat is generally completed in the county. Any acreage report submitted by the insured shall be considered final and not subject to change by the insured.

(b) The Corporation reserves the right to charge the insured $2.00 if the insured fails to submit an acreage report within 30 days after seeding of the applicable type of wheat (winter or spring) is generally completed in the county, as determined by the Corporation.

(c) The Corporation may elect to determine that the insured acreage is "zero" if the insured fails to file an acreage report within 30 days after seeding of the applicable type of wheat (winter or spring) is generally completed in the county, as determined by the Corporation.

(d) Failure of the county office to request submission of such report or to send a personal representative to obtain the report shall not relieve the insured of the responsibility to make such report.

4. *Insured acreage.* The insured acreage with respect to each insurance unit shall be the acreage of wheat seeded for harvest as grain as reported by the insured or as determined by the Corporation, whichever the Corporation shall elect, except that insurance shall not attach with respect to (a) any acreage seeded to wheat which is destroyed or substantially destroyed (as defined in section 16) and on which it is practical to reseed to wheat, as determined by the Corporation, and such acreage is not reseeded to wheat, (b) any acreage initially seeded to wheat too late to expect to produce a normal crop, as determined by the Corporation, (c) new ground acreage, and (d) any acreage seeded for harvest in a crop year for which cancellation of the contract becomes effective. (For irrigated acreage, see section 32.)

5. *Insured interest.* The insured interest in the wheat crop covered by the contract shall be the interest of the insured at the time of seeding as reported by the insured or as determined by the Corporation, whichever the Corporation shall elect. For the purpose of determining the amount of loss the insured interest shall not exceed the insured's actual interest at the time of loss or the beginning of harvest whichever occurs first.

6. *Coverage per acre.* The coverage per acre shall be the applicable number of bushels of wheat established for the area in which the insured acreage is located, and shall be shown by practice(s) on the county actuarial table on file in the county office. The coverage per acre is progressive depending upon whether the acreage is (a) released and seeded to a substitute crop, (b) not harvested and not seeded to a substitute crop or (c) harvested.

7. *Fixed price.* The fixed price per bushel for any crop year shall be 90 percent of the parity price of wheat as officially determined by the Secretary of Agriculture for January 15 of the calendar year in which the crop is to be harvested, with differentials determined by the Corporation for the location of the insurance unit. Each year the amount of the premium and the indemnity if any, shall be determined by using the fixed price per bushel for such year. This price shall be on file in the county office.

8. *Insurance period.* Insurance with respect to any insured acreage shall attach at the time the wheat is seeded. Insurance shall cease with respect to any portion of the wheat crop covered by the contract upon threshing or removal from the field, but in no event shall the insurance remain in effect later than October 31 of each year, unless such time is extended in writing by the Corporation.

9. *Life of contract, cancellation thereof.* (a) Subject to the provisions of paragraph (d) of this section, the contract shall be in effect for the 1949 crop year and shall continue in effect for each succeeding crop year until either party gives to the other party, on or before the cancellation date of any year, written notice of cancellation effective beginning with wheat seeded for harvest in the next calendar year. Any notice of cancellation given by the insured to the Corporation shall be submitted in writing to the county office.

(b) If the insured cancels the contract, he shall not be eligible for crop insurance on wheat seeded or to be seeded in the county for harvest in the next calendar year unless he subsequently files an application for insurance on or before the cancelation date preceding such year.

(c) If for two consecutive crop years no wheat in which the insured has an insurable interest is seeded in the county, the contract shall terminate.

(d) If the minimum participation requirement as established by the Corporation is not met for any year the contract shall continue in force only to the end of the crop

year for which such requirement is not met, except that if the minimum participation requirement is met on or before the next succeeding applicable closing date the contract shall continue to be in force.

10. *Changes in contract.* The Corporation reserves the right to change the premium rate(s), insurance coverage(s) and other terms and provisions of the contract from year to year. Notice of such changes shall be mailed to the insured at least 15 days prior to the applicable cancelation date shown herein. Failure of the insured to cancel the contract as provided in section 9 shall constitute his acceptance of any such changes. If no notice is mailed to the insured, the terms and provisions of the contract for the prior year shall continue in force.

11. *Causes of loss not insured against.* The contract shall not cover loss of production caused by: (a) Failure to follow recognized good farming practices; (b) poor farming practices, including but not limited to the use of defective or unadapted seed, failure to plant a sufficient quantity of seed, failure properly to prepare the land for seeding or properly to seed, care for or harvest and thresh the insured crop (including unreasonable delay thereof); (c) over-pasturage; (d) following different fertilizer or farming practices than those considered in establishing the coverage per acre; (e) seeding wheat on land which is generally not considered capable of producing a wheat crop comparable to that produced on the land considered in establishing the coverage per acre; (f) seeding excessive acreage under abnormal conditions; (g) seeding another crop with the wheat or in the growing wheat crop; (h) seeding wheat under conditions of immediate hazard; (i) inability to obtain labor, seed, fertilizer, machinery, repairs or insect poison; (j) breakdown of machinery, or failure of equipment due to mechanical defects; (k) neglect or malfeasance of the insured or of any person in his household or employment or connected with the farm as tenant or wage hand; (l) domestic animals or poultry; or (m) theft. (For irrigated acreage, see section 32)

12. *Partial insurance protection.* If the accepted application provides for partial insurance protection, the premium and any indemnity shall be 65 percent of the amount otherwise computed in accordance with the contract.

13. *Amount of annual premium.* (a) The premium rate per acre will be the applicable number of bushels of wheat established by the Corporation for the coverage and rate area in which the insured acreage is located and will be shown by practices on the county actuarial table on file in the county office. The annual premium for each insurance unit under the contract will be based upon (1) the insured acreage of wheat, (2) the applicable premium rate(s), (3) the insured interest in the crop at the time of seeding and (4) the fixed price. There will be a reduction in the annual premium for each insurance unit of one percent in cases where the insured acreage on the insurance unit is as much as 25 acres and does not exceed 74.9 acres, and an additional one percent reduction for each additional 50 acres or fraction thereof on the insurance unit. However, the total reduction shall not exceed 20 percent. The annual premium for the contract shall be the total of the premiums computed for the insured for all insurance units covered by the contract. The annual premium with respect to any insured acreage shall be regarded as earned when the wheat crop on such acreage is seeded.

(b) The insured's annual premium may be reduced in any year not to exceed 50 percent if it is determined by the Corporation that the accumulated balance (expressed in bushels) of premiums over indemnities on consecutively insured wheat crops exceeds his total coverage (computed on a harvested acreage basis). Nothing in this paragraph (b) shall create in the insured any right to a reduced premium.

14. *Manner of payment of premium.* (a) The applicant executes a premium note by signing the application for wheat crop insurance. This note represents a promise to pay to the Corporation annually during the life of the contract, on or before the applicable maturity date shown in section 33, the premium for all insurance units covered by the contract.

(b) A discount of five percent shall be allowed on any earned annual premium which is paid in full on or before the applicable discount date shown in section 33 if the insured has submitted to the Corporation at the county office his winter wheat acreage report on or before December 31 of the crop year and his spring wheat acreage report on or before June 15 of the crop year, except that for California the acreage report for all wheat shall be submitted on or before January 31 of the crop year.

(c) Any premium note not paid at maturity shall bear interest computed not on a per annum basis but as follows: Three percent on the principal amount not paid on or before December 31 following the maturity date, and an additional three percent on the principal amount owing at the end of each six-month period thereafter.

(d) Payment on any annual premium shall be made by means of cash or by check, money order, postal note, or bank draft payable to the order of the Treasurer of the United States. All checks and drafts will be accepted subject to collection and payments tendered shall not be regarded as paid unless collection is made.

(e) Any unpaid amount of any annual premium plus any interest due may be deducted (either before or after the date of maturity) from any indemnity payable by the Corporation, from the proceeds of any commodity loan to the insured, and from any payment made to the insured under the Soil Conservation and Domestic Allotment Act, as amended, or any other act of Congress or program administered by the United States Department of Agriculture. There shall be no refund of any annual premium overpayment of less than $1.00 unless written request for such refund is received by the Corporation within one year after the payment thereof.

15. *Notice of loss or damage.* (a) Unless otherwise provided by the Corporation, if a loss under the contract is probable, notice in writing shall be given the Corporation at the county office immediately after any material damage to the insured crop. The crop shall not be harvested, removed, or any other use made of it until it has been inspected by the Corporation.

(b) Unless otherwise provided by the Corporation, if, at the completion of threshing of the insured wheat crop, a loss under the contract has been sustained, notice in writing shall be given immediately to the Corporation at the county office. If such notice is not given within 15 days after threshing is completed, the Corporation reserves the right to reject any claim for indemnity. This notice is in addition to any notice required by paragraph (a) of this section.

16. *Released acreage.* Any insured acreage on which the wheat crop has been destroyed or substantially destroyed may be released by the Corporation for planting to a substitute crop or to be put to another use. The wheat crop shall be deemed to have been substantially destroyed if the Corporation determines that it has been so badly damaged that farmers generally in the area where the land is located and on whose farms similar damage occurred would not further care for the crop or harvest any portion thereof. No insured acreage may be planted to a substitute crop or put to another use until the Corporation releases such acreage. On any acreage where the wheat has been partially destroyed but not released by the Corporation, proper measures shall be taken to protect the crop from further damage. There shall be no abandonment of any crop or portion thereof to the Corporation.

17. *Time of loss.* Any loss shall be deemed to have occurred at the end of the insurance period, unless the entire wheat crop on the insurance unit was destroyed or substantially destroyed earlier, in which event the loss shall be deemed to have occurred on the date of such damage, as determined by the Corporation.

18. *Proof of loss.* If a loss is claimed, the insured shall submit to the Corporation a form entitled "Statement in Proof of Loss," containing such information regarding the manner and extent of the loss as may be required by the Corporation. The statement in proof of loss shall be submitted not later than sixty days after the time of loss, unless the time for submitting the claim is extended in writing by the Corporation. It shall be a condition precedent to any liability under the contract that the insured establish the amount of any loss for which claim is made, and that such loss has been directly caused by one or more of the hazards insured against by the contract during the insurance period for the crop year for which the loss is claimed, and that the insured further establish that the loss has not arisen from or been caused by, either directly or indirectly, any of the causes of loss not insured against by the contract. If a loss is claimed, any wheat acreage which is not to be harvested shall be left intact until the Corporation makes an inspection.

19. *Insurance unit.* Losses shall be determined separately for each insurance unit except as provided in section 20 (b). An insurance unit consists of (a) all the insurable acreage of wheat in the county in which the insured has 100 percent interest in the crop at the time of seeding, or (b) all the insurable acreage of wheat in the county owned by one person which is operated by the insured as a share tenant, or (c) all the insurable acreage of wheat in the county which is owned by the insured and is rented to one share tenant at the time of seeding. For any crop year of the contract acreage shall be considered to be located in the county if a coverage is shown therefor on the county actuarial table. Land rented for cash or for a fixed commodity payment shall be considered as owned by the lessee.

20. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by multiplying the seeded acreage (exclusive of any acreage to which insurance did not attach) by the applicable coverage per acre and subtracting therefrom the total production for the seeded acreage and multiplying the remainder by the insured interest. However, if the seeded acreage on the insurance unit exceeds the insured acreage on the insurance unit, the amount of loss so determined shall be reduced on the basis of the ratio of the insured acreage to the seeded acreage, or if the premium computed for the insured acreage is less than the premium computed for the seeded acreage, the amount of loss determined for the seeded acreage may be reduced on the basis of the ratio of the premium computed for the insured acreage to the premium computed for the seeded acreage, if the Corporation so elects. The total production for an insurance unit shall include all production determined in accordance with the following schedule:

0 SCHEDULE

Acreage classification	*Total production in bushels*
1. Acreage on which wheat is threshed (exclusive of any acreage shown in item 2 below).	1. Actual production not including wheat in a mixture with other small grains which were seeded in the growing wheat crop on released acreage.
2. Acreage on which threshed wheat has a value, as determined by the Corporation, of less than 50 percent of the local market value.	2. A number of bushels of wheat which the Corporation determines will result in indemnifying the insured for the amount that the production threshed from any wheat acreage lacks of having a value of 50 percent of the fixed price multiplied by a number of bushels of wheat equal to the smaller of (i) the number of bushels of such production threshed, or (ii) the coverage for the insurance unit, minus all production of wheat counted for other reasons.
3. Acreage not threshed but otherwise harvested as grain.	3. Appraised production.
4. Acreage released by the Corporation and planted to a substitute crop.	4. That portion of the appraised production which is in excess of the coverage.
5. Acreage not harvested and not seeded to a substitute crop.	5. That portion of the appraised production which is in excess of the number of bushels determined by subtracting (i) the coverage for such acreage from (ii) the coverage for such acreage if it were harvested.
6. Acreage put to another use without being released by the Corporation.	6. Appraised production but not less than the product of (i) such acreage and (ii) the coverage per acre.
7. Acreage with reduced yield due solely to any cause(s) not insured against.	7. Appraised number of bushels by which production has been reduced but not less than the product of (i) such acreage and (ii) the coverage per acre, minus any wheat harvested.
8. Acreage with reduced yield due partially to a cause(s) not insured against and partially to a cause(s) insured against.	8. Appraised number of bushels by which production has been reduced because of any cause(s) not insured against.

(b) If the production from two or more insurance units is commingled and the insured fails to establish and maintain records satisfactory to the Corporation of acreage or the production from each, the insurance with respect to such units may be voided by the Corporation for the crop year and the premium forfeited by the insured. However, if all the component parts are insured the total coverage for the component parts may be considered as the total coverage for the combination, if the Corporation so elects, in which case any loss for such combination shall be determined as outlined in paragraph (a) of this section. Where the insured fails to establish and maintain separate records, satisfactory to the Corporation, of uninsured acreage and production therefrom and for one or more insurance units or portions thereof, any production from such acreage which is commingled with production from the insured acreage shall be considered to have been produced on the insured acreage, or the insurance with respect to such unit(s) under the contract may be voided by the Corporation for the crop year and the premium forfeited by the insured.

(c) The cash amount of the indemnity shall be determined by multiplying the amount of the loss in bushels by the fixed price.

21. *Payment of indemnity.* (a) Indemnities shall be paid only by check. The amount of indemnity for which the Corporation may be liable will be payable within thirty days after satisfactory proof of loss is approved by the Corporation, but if payment is delayed for any reason, the Corporation shall not be liable for interest or damages on account of such delay.

(b) Indemnities shall be subject to all provisions of the contract, including the right of the Corporation to deduct from any indemnity the unpaid amount of any earned premium plus any interest due or any other obligation of the insured to the Corporation.

(c) Any indemnity payable under a contract shall be paid to the insured or such other person as may be entitled to the benefits under the provisions of the contract, notwithstanding any attachment, garnishment, receivership, trustee process, judgment, levy, equity, or bankruptcy, directed against the insured or such other person, or against any indemnity alleged to be due to such person; nor shall the Corporation or any officer, employee, or representative thereof, be a proper party to any suit or action with reference to such indemnity, nor be bound by any judgment, order, or decree rendered or entered therein. Nothing herein contained shall excuse any person entitled to the benefits of the contract from full compliance with, or performance of, any lawful judgment, order, or decree with respect to the disposition of any sums paid thereunder as an indemnity.

(d) If a check issued in payment of an indemnity is returned undeliverable at the last known address of the payee, and if such payee or other person entitled to the indemnity makes no claim for payment within two years after the issuance of the check, such claim shall not thereafter be payable, except with the consent of the Corporation.

22. *Payment to transferee.* (a) If the insured transfers all or a part of his insured interest in a wheat crop before the beginning of harvest or the time of loss, whichever occurs first, he shall immediately notify the Corporation thereof in writing at the county office. The transferee under such a transfer will be entitled to the benefits of the contract with respect to the interest so transferred, provided the transferee immediately following the transfer makes suitable arrangements with the Corporation for the payment of any premium with respect to the interest so transferred, whereupon the transferee and the transferor shall be jointly and severally liable for the amount of such premium. Any transfer shall be subject to any collateral assignment made by the original insured in accordance with section 26. However, the Corporation shall not be liable for a greater amount of indemnity in connection with the insured crop than would have been paid if the transfer had not taken place.

(b) An involuntary transfer of an insured interest in a wheat crop solely because of the existence of a debt, lien, mortgage, garnishment, levy, execution, bankruptcy, or other process shall not entitle any holder of any such interest to any benefits under the contract.

(c) Any deduction to be made from an indemnity payable to the transferee shall not exceed the annual premium plus any interest due on the land involved in the transfer for the crop year in which the transfer is made, plus the unpaid amount of any other obligation of the transferee to the Corporation.

(d) If, as a result of any transfer, diverse interests appear with respect to any insurance unit, any indemnity payable with respect to such unit may be paid jointly to all persons having the insured interest in the crop at the time harvest is commenced or the time of loss, whichever occurs first, or to one of such persons on behalf of all such persons, and payment in any such manner shall constitute a complete discharge of the Corporation's liability with respect to such unit under the contract.

(e) If a transfer is effected in accordance with paragraph (a) above, the contract of the transferor shall cover the interest so transferred only to the end of the insurance period for the crop year during which the transfer is made.

23. *Determination of person to whom indemnity shall be paid.* In any case where the insured has transferred his interest in all or a part of the wheat crop on any insurance unit, or has ceased to act as a fiduciary, or has died, has been judicially declared incompetent or has disappeared, payment in accordance with the provisions of the contract will be made only after the facts have been established to the satisfaction of the Corporation. The determination of the Corporation as to the existence or non-existence of a circumstance in the event of which payment may be made and of the person(s) to whom such payment will be made shall be final and conclusive. Payment of an indemnity under this section shall constitute a complete discharge of the Corporation's obligation with respect to the loss for which such indemnity is paid and settled and shall be a bar to recovery by any other person.

24. *Other insurance.* (a) If the insured has or acquires any other insurance against substantially all the risks that are insured against by the Corporation under the contract, regardless of whether such other insurance is valid or collectible, the liability of the Corporation shall not be greater than its share would be if the amount of its obligations were divided equally between the Corporation and such other insurer.

(b) In any case where an indemnity is paid to the insured by another Government agency because of damage to the wheat crop, the Corporation reserves the right to determine its liability under the contract taking into consideration the amount paid by such other agency.

25. *Subrogation.* The Corporation may require from the insured an assignment of all rights of recovery against any person(s) for loss or damage to the extent that payment therefor is made by the Corporation, and the insured shall execute all papers required and shall do everything that may be necessary to secure such rights.

26. *Collateral assignment.* The original insured may assign his right to an indemnity under the contract by executing a form entitled "Collateral Assignment" and upon approval thereof by the Corporation the interest of the assignee will be recognized, including the right of the assignee to submit a "Statement in Proof of Loss" if the insured refuses to submit or disappears without having submitted such statement.

27. *Records and access to farm.* For the purpose of enabling the Corporation to determine any loss that may have occurred under the contract, the insured shall keep, or cause to be kept, for one year after the time of loss, records of the harvesting, stor-

age, shipment, sale, or other disposition, of all wheat produced on each insurance unit covered by the contract, and on any uninsured acreage in the county in which he has an interest. Such records shall be made available for examination by the Corporation, and as often as may be reasonably required, any person(s) designated by the Corporation shall have access to the farm(s).

28. *Voidance of contract.* The contract may be voided and the premium forfeited to the Corporation without the Corporation's waiving any right or remedy, including its right to collect the amount of the note executed by the insured, whether before or after maturity, if (a) at any time the insured has concealed any material fact or made any false or fraudulent statements relating to the contract, the subject thereof, or his interest in the wheat crop covered thereby, or (b) the insured shall neglect to use all reasonable means to produce, care for or save the wheat crop covered thereby, whether before or after damage has occurred, or (c) the insured fails to give any notice, or otherwise fails to comply with the terms of the contract, including the note, at the time and in the manner prescribed.

29. *Modification of contract.* No notice to any representative of the Corporation or the knowledge possessed by any such representative or by any other person shall be held to effect a waiver of or chnage in any part of the contract, or to estop the Corporation from asserting any right or power under such contract, nor shall the terms of such contract be waived or changed except as authorized in writing by a duly authorized officer or representative of the Corporation; nor shall any provision or condition of the contract or any forfeiture be held to be waived by any delay or omission by the Corporation in exercising its rights and powers thereunder or by any requirement, act, or proceeding on the part of the Corporation or of its representatives relating to appraisal or to any examination herein provided for.

30. *General.* (a) In addition to the terms and provisions in the application and policy, the Wheat Crop Insurance Regulations for Continuous Contracts Covering 1949 and Succeeding Crop Years (7 CFR, Part 418, § 418.151–418.168) shall govern with respect to (1) death, incompetence, or disappearance of the insured, (2) fiduciaries, (3) prohibition against assignment or transfer of claims for refunds, (4) rounding of fractional units, (5) creditors, (6) minimum participation requirements, (7) changes from or to partial insurance protection, and (8) reduction of premium based on good experience.

(b) Copies of the regulations and forms referred to in this policy are available at the county office.

31. *Meaning of terms.* For the purpose of the wheat crop insurance program, the terms:

(a) "Contract" means the accepted application for insurance and this policy.

(b) "County Actuarial Table" means the form and related material (including the crop insurance maps) approved by the Corporation for listing the coverages per acre and the premium rates per acre applicable in the county.

(c) "County office" means the office of the county Agricultural Conservation Association in the county or other office specified by the Corporation.

(d) "Crop year" means the period within which the wheat crop is seeded and normally harvested, and shall be designated by reference to the calendar year in which the crop is normally harvested.

(e) "Harvest" means any mechanical severance from the land of matured wheat for threshing where the wheat crop has not been destroyed or substantially destroyed.

(f) "New ground acreage" means any acreage which has not been planted to a crop in any one of the previous three crop years, except that acreage in tame hay or rotation pasture during the previous crop year shall not be considered new ground acreage.

(g) "Person" means an individual, partnership, association, corporation, estate, or trust, or other business enterprise or other legal entity, and, wherever applicable, a state, a political subdivision of a state, or any agency thereof.

(h) "Substitute crop" means any crop, except lespedeza, biennial and perennial legumes and perennial grasses, planted on released acreage before harvest of wheat becomes general in the county as determined by the Corporation. Biennial and perennial legumes and perennial grasses seeded with the wheat or in the growing wheat crop shall not be considered a substitute crop. If other small grains are seeded in a growing wheat crop on released acreage, the crop of mixed wheat and other grains shall be considered a substitute crop.

(i) "Tenant" means a person who rents land from another person for a share of the wheat crop or proceeds therefrom produced on such land.

32. *Irrigated acreage.* (a) In addition to the provisions of section 4, where insurance is written on an irrigated basis the following provisions shall apply:

(1) The acreage of wheat which shall be insured on an irrigated basis in any year shall not exceed that acreage which can be irrigated properly with facilities available and with a supply of irrigation water which could reasonably be expected, taking into consideration the amount of water required to properly irrigate the acreage of all irrigated crops on the farm, except that in areas where a part of the wheat is normally irrigated and a part is not normally irrigated, the acreage of wheat which shall be insured on an irrigated basis in any year shall not exceed that acreage which could be irrigated in a normal year with the facilities available. Also, in all Texas counties the acreage of wheat on any farm which shall be insured on an irrigated basis in any year shall not exceed that acreage on which the following irrigation requirements are met: (i) One early season irrigation of at least 3 acre-inches either before seeding of wheat or immediately after seeding the wheat if there is a deficiency of soil moisture at that time, and (ii) one irrigation of not less than 3 acre-inches during the early spring growing season if there is a deficiency of soil moisture at that time.

(2) Insurance shall not attach with respect to acreage seeded to wheat the first year after being leveled.

(b) In addition to the causes of loss insured against shown on the first page of this policy the contract shall cover loss in production due to failure of the water supply from natural causes that could not be foreseen and prevented by the insured, including (1) lowering of the water level in pump wells adequate at the beginning of the growing season to the extent that either deepening the well or drilling a new well would be necessary to obtain an adequate supply of water, (2) failure of public power used for pumping or failure of an irrigation district or water company to deliver water where such failure is not within the control of the insured, and (3) the collapse of casing in wells.

(c) In addition to the causes of loss not insured against shown in section 11, the contract shall not cover loss in production caused by (1) failure to provide adequate casing or properly to adjust the pumping equipment in the event of a lowering of the water level in pump wells when such adjustment can be made without deepening the well, (2) failure properly to apply irrigation water to wheat in proportion to the need of the crop and the amount of water available for all irrigated crops, and (3) shortage of irrigation water on any farm where the Corporation determines that the total acreage of all irrigated crops on the farm is in excess of that which could be irrigated properly with the facilities available and with the supply of irrigation water which could be reasonably expected.

33. *Date table.* For each year of the contract the cancellation date, discount date and maturity date are as follows:

State and county [1]	Cancellation date [2]	Discount date	Maturity date
California	June 30	Feb. 28	June 30
Colorado:			
For spring wheat	Apr. 30	June 15	Do.
For winter wheat	do	Feb. 28	Do.
Idaho	June 30	June 15	July 31
Illinois	do	Feb. 28	June 30
Indiana	do	do	Do.
Kansas	Apr. 30	do	June 15
Maryland	June 30	do	June 30
Michigan	do	do	Do.
Minnesota:			
Dakota	do	June 15	July 31
All others	Dec. 31	do	Do.
Missouri	June 30	Feb. 28	June 30
Montana:			
Chouteau	Apr. 30	June 15	July 31
Fergus	do	do	Do.
Hill	do	do	Do.
Judith Basin	do	do	Do.
Liberty	do	do	Do.
Pondera	do	do	Do.
All others	Dec. 31	do	Do.
Nebraska	Apr. 30	Feb. 28	June 30
New Mexico	do	do	Do.
New York	June 30	do	Do.
North Dakota	Dec. 31	June 15	July 31
Ohio	June 30	Feb. 28	June 30
Oklahoma	Apr. 30	do	June 15
Oregon	June 30	June 15	July 31
Pennsylvania	do	Feb. 28	June 30
South Dakota:			
Meade	Apr. 30	June 15	July 31
Tripp	do	do	Do.
All others	Dec. 31	do	Do.
Texas	Apr. 30	Feb. 28	June 15
Utah:			
For spring wheat	June 30	June 15	July 31
For winter wheat	do	Feb. 28	Do.
Washington	do	June 15	Do.
Wyoming:			
For spring wheat	Apr. 30	do	June 30
For winter wheat	do	Feb. 28	Do.

[1] If no county name(s) appears for a State, the dates shown for such State are applicable to all wheat crop insurance counties in that State.

[2] The cancelation date for any year is the applicable date preceding the calendar year in which the wheat is to be harvested.

§ 418.168 *The monetary coverage policy.* The provisions of the monetary coverage policy are as follows:

In consideration of the representations and provisions in the application upon which this policy is issued, which application is made a part of the contract, and subject to the terms and conditions set forth or referred to herein, the Federal Crop Insurance Corporation (hereinafter designated as the Corporation) does hereby insure

Name _____ Policy Number _____

Address _____ County _____ State _____

(Hereinafter designated as the insured)

against loss on his wheat crop while in the field, due to unavoidable causes including drought, flood, hail, wind, frost, winter-kill, lightning, fire, excessive rain, snow, wildlife, hurricane, tornado, insect infestation, plant disease and such other unavoidable causes as may be determined by the Board of Directors of the Corporation. (For irrigated acreage see Section 31.)

In witness whereof, the Federal Crop Insurance Corporation has caused this policy to be issued this _____ day of _____, 19__.

FEDERAL CROP INSURANCE CORPORATION

By _____

State Crop Insurance Director

TERMS AND CONDITIONS

1. *Kinds of wheat insured.* The wheat to be insured shall be winter and spring wheat

seeded for harvest as grain. If the insured seeds only a part of his wheat for harvest as grain in any year of the contract, he shall submit with his acreage report of wheat seeded a designation of any acreage of wheat seeded for any purpose other than harvest as grain. Upon approval of the Corporation, the acreage used in computing the premium and total coverage shall not include acreage so designated. However, any wheat threshed from such acreage shall be considered as wheat produced on the insured acreage in determining any loss under the contract.

The contract shall not provide insurance for volunteer wheat, wheat seeded with a mixture of flax or other small grains, vetch, Austrian winter peas, dry edible peas or a type of wheat which the Corporation determines is not adapted to the area. However, in determining production, volunteer small grains, volunteer vetch, volunteer Austrian winter peas and volunteer dry edible peas growing with the seeded wheat crop, and small grains seeded with the growing wheat crop on acreage not released by the Corporation, shall be counted as wheat.

2. *Insurable acreage.* For each crop year of the contract, any acreage is insurable only if a coverage is shown therefor on the county actuarial table (including maps and related forms) on the applicable calendar closing date for filing applications for that crop year, provided the farming practice followed on such acreage is one for which a coverage was established.

3. *Responsibility of insured to report acreage and interest.* (a) Promptly after seeding wheat (winter or spring) each year, the insured shall submit to the Corporation, on a form entitled "Wheat Crop Insurance Acreage Report," a report over his signature of all acreage in the county seeded to wheat in which he has an interest at the time of seeding. This report shall show the acreage of wheat for each insurance unit and his interest in each at the time of seeding. If the insured does not have an insurable interest in wheat seeded in any year, the acreage report shall nevertheless be submitted promptly after the seeding of wheat is generally completed in the county. Any acreage report submitted by the insured shall be considered final and not subject to change by the insured.

(b) The Corporation reserves the right to charge the insured $2.00 if the insured fails to submit an acreage report within 30 days after seeding of the applicable type of wheat (winter or spring) is generally completed in the county, as determined by the Corporation.

(c) The Corporation may elect to determine that the insured acreage is "zero" if the insured fails to file an acreage report within 30 days after seeding of the applicable type of wheat (winter or spring) is generally completed in the county, as determined by the Corporation.

(d) Failure of the county office to request submission of such report or to send a personal representative to obtain the report shall not relieve the insured of the responsibility to make such report.

4. *Insured acreage.* The insured acreage with respect to each insurance unit shall be the acreage of wheat seeded for harvest as grain as reported by the insured or as determined by the Corporation, whichever the Corporation shall elect, except that insurance shall not attach with respect to (a) any acreage seeded to wheat which is destroyed or substantially destroyed (as defined in section 15) and on which it is practical to reseed to wheat, as determined by the Corporation, and such acreage is not reseeded to wheat, or (b) any acreage initially seeded to wheat too late to expect to produce a normal crop, as determined by the Corporation, (c) new ground acreage, and (d) any acreage seeded for harvest in a crop year for which cancellation of the contract becomes effective. (For irrigated acreage see section 31.)

5. *Insured interest.* The insured interest in the wheat crop covered by the contract shall be the interest of the insured at the time of seeding as reported by the insured or as determined by the Corporation, whichever the Corporation shall elect. For the purpose of determining the amount of loss the insured interest shall not exceed the insured's actual interest at the time of loss or the beginning of harvest whichever occurs first.

6. *Coverage per acre.* The coverage per acre shall be the applicable number of dollars, established for the area in which the insured acreage is located, and shall be shown by practice(s) on the county actuarial table on file in the county office. The coverage per acre is progressive depending upon whether the acreage is (a) released and reseeded to a substitute crop, (b) not harvested and not seeded to a substitute crop or (c) harvested.

7. *Predetermined price.* In determining any loss under the contract, production shall be evaluated at a predetermined price per bushel which the Corporation shall establish annually for the applicable crop year. The predetermined price for the 1949 crop year shall be $1.60 per bushel. For any subsequent crop year, notice of any change in the predetermined price from the prior crop year shall be mailed by the Corporation to the insured at least 15 days before the applicable cancellation date shown herein.

8. *Insurance period.* Insurance with respect to any insured acreage shall attach at the time the wheat is reseeded. Insurance shall cease with respect to any portion of the wheat crop covered by the contract upon threshing or removal from the field, but in no event shall the insurance remain in effect later than October 31 of each year, unless such time is extended in writing by the Corporation.

9. *Life of contract, cancellation thereof.* (a) Subject to the provisions of paragraph (d) of this section, the contract shall be in effect for the 1949 crop year and shall continue in effect for each succeeding crop year until either party gives to the other party, on or before the cancellation date of any year, written notice of cancellation effective beginning with wheat seeded for harvest in the next calendar year. Any notice of cancellation given by the insured to the Corporation shall be submitted in writing to the county office.

(b) If the insured cancels the contract, he shall not be eligible for crop insurance on wheat seeded or to be seeded in the county for harvest in the next calendar year unless he subsequently files an application for insurance on or before the cancellation date preceding such year.

(c) If for two consecutive crop years no wheat in which the insured has an insurable interest is seeded in the county, the contract shall terminate.

(d) If the minimum participation requirement as established by the Corporation is not met for any year the contract shall continue in force only to the end of the crop year for which such requirement is not met, except that if the minimum participation requirement is met on or before the next succeeding applicable closing date the contract shall continue to be in force.

10. *Changes in contract.* The Corporation reserves the right to change the premium rate(s), insurance coverage(s) and other terms and provisions of the contract from year to year. Notice of such changes shall be mailed to the insured at least 15 days prior to the applicable cancellation date shown herein. Failure of the insured to cancel the contract as provided in section 9 shall constitute his acceptance of any such changes. If no notice is mailed to the insured, the terms and provisions of the contract for the prior year shall continue in force.

11. *Causes of loss not insured against.* The contract shall not cover loss caused by: (a) Failure to follow recognized good farming practices; (b) poor farming practices, including but not limited to the use of defective or unadapted seed, failure to plant a sufficient quantity of seed, failure properly to prepare the land for seeding or properly to seed, care for or harvest and thresh the insured crop (including unreasonable delay thereof); (c) over-pasturage; (d) following different fertilizer or farming practices than those considered in establishing the coverage per acre; (e) seeding wheat on land which is generally not considered capable of producing a wheat crop comparable to that produced on the land considered in establishing the coverage per acre; (f) seeding excessive acreage under abnormal conditions; (g) seeding another crop with the wheat or in the growing wheat crop; (h) seeding wheat under conditions of immediate hazard; (i) inability to obtain labor, seed, fertilizer, machinery, repairs or insect poison; (j) breakdown of machinery, or failure of equipment due to mechanical defects; (k) neglect or malfeasance of the insured or of any person in his household or employment or connected with the farm as tenant or wage hand; (l) domestic animals or poultry; or (m) theft. (For irrigated acreage see section 31.)

12. *Amount of annual premium.* The premium rate per acre will be the applicable number of dollars established by the Corporation for the coverage and rate area in which the insured acreage is located and will be shown by practices on the county actuarial table on file in the county office. The annual premium for each insurance unit under the contract will be based upon (a) the insured acreage of wheat, (b) the applicable premium rate(s) and (c) the insured interest in the crop at the time of seeding. There will be a reduction in the annual premium for each insurance unit of one percent in cases where the insured acreage on the insurance unit is as much as 25 acres and does not exceed 74.9 acres, and an additional one percent reduction for each additional 50 acres or fraction thereof on the insurance unit. However, the total reduction shall not exceed 20 percent. The annual premium for the contract shall be the total of the premiums computed for the insured for all insurance units covered by the contract. The annual premium with respect to any insured acreage shall be regarded as earned when the wheat crop on such acreage is seeded.

13. *Manner of payment of premium.* (a) The applicant executes a premium note by signing the application for wheat crop insurance. This note represents a promise to pay to the Corporation annually during the life of the contract, on or before the applicable maturity date shown in section 32 the premium for all insurance units covered by the contract.

(b) A discount of five percent shall be allowed on any earned annual premium which is paid in full on or before the applicable discount date shown in section 32 if the insured has submitted to the Corporation at the county office his winter wheat acreage report on or before December 31 of the crop year and his spring wheat acreage report on or before June 15 of the crop year, except that for California the acreage report for all wheat shall be submitted on or before January 31 of the crop year.

(c) Any premium note not paid at maturity shall bear interest computed not on a per annum basis but as follows: Three percent on the principal amount not paid on or before December 31 following the maturity date, and an additional three percent on the principal amount owing at the end of each six month period thereafter.

(d) Payment on any annual premium shall be made by means of cash or by check, money order, postal note, or bank draft payable to the order of the Treasurer of the United States. All checks and drafts will be accepted subject to collection and payments tendered

shall not be regarded as paid unless collection is made.

(e) Any unpaid amount of any annual premium plus any interest due may be deducted (either before or after the date of maturity) from any indemnity payable by the Corporation, from the proceeds of any commodity loan to the insured, and from any payment made to the insured under the Soil Conservation and Domestic Allotment Act, as amended, or any other act of Congress or program administered by the United States Department of Agriculture. There shall be no refund of any annual premium overpayment of less than $1.00 unless written request for such refund is received by the Corporation within one year after the payment thereof.

14. *Notice of loss or damage.* (a) Unless otherwise provided by the Corporation, if a loss under the contract is probable, notice in writing shall be given the Corporation at the county office immediately after any material damage to the insured crop. The crop shall not be harvested, removed, or any other use made of it until it has been inspected by the Corporation.

(b) Unless otherwise provided by the Corporation, if, at the completion of threshing of the insured wheat crop, a loss under the contract has been sustained, notice in writing shall be given immediately to the Corporation at the county office. If such notice is not given within 15 days after threshing is completed, the Corporation reserves the right to reject any claim for indemnity. This notice is in addition to any notice required by paragraph (a) of this section.

15. *Released acreage.* Any insured acreage on which the wheat crop has been destroyed or substantially destroyed may be released by the Corporation for planting to a substitute crop or to be put to another use. The wheat crop shall be deemed to have been substantially destroyed if the Corporation determines that it has been so badly damaged that farmers generally in the area where the land is located and on whose farms similar damage occurred would not further care for the crop or harvest any portion thereof. No insured acreage may be planted to a substitute crop or put to another use until the Corporation releases such acerage. On any acreage where the wheat has been partially destroyed but not released by the Corporation, proper measures shall be taken to protect the crop from further damage. There shall be no abandonment of any crop or portion thereof to the Corporation.

16. *Time of loss.* Any loss shall be deemed to have occurred at the end of the insurance period, unless the entire wheat crop on the insurance unit was destroyed or substantially destroyed earlier, in which event the loss shall be deemed to have occurred on the date of such damage, as determined by the Corporation.

17. *Proof of loss.* If a loss is claimed, the insured shall submit to the Corporation a form entitled "Statement in Proof of Loss," containing such information regarding the manner and extent of the loss as may be required by the Corporation. The statement in proof of loss shall be submitted not later than sixty days after the time of loss, unless the time for submitting the claim is extended in writing by the Corporation. It shall be a condition precedent to any liability under the contract that the insured establish the amount of any loss for which claim is made, and that such loss has been directly caused by one or more of the hazards insured against by the contract during the insurance period for the crop year for which the loss is claimed, and that the insured further establish that the loss has not arisen from or been caused by, either directly or indirectly, any of the causes of loss not insured against by the contract. If a loss is claimed, any wheat acreage which is not to be harvested shall be left intact until the Corporation makes an inspection.

18. *Insurance unit.* Losses shall be determined separately for each insurance unit except as provided in section 19 (b). An insurance unit consists of (a) all the insurable acreage of wheat in the county in which the insured has 100 percent interest in the crop at the time of seeding, or (b) all the insurable acreage of wheat in the county owned by one person which is operated by the insured as a share tenant, or (c) all the insurable acreage of wheat in the county which is owned by the insured and is rented to one share tenant at the time of seeding. For any crop year of the contract acreage shall be considered to be located in the county if a coverage is shown therefor on the county actuarial table. Land rented for cash or for a fixed commodity payment shall be considered as owned by the lessee.

19. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the seeded acreage (exclusive of any acreage to which insurance did not attach) by the applicable coverage per acre, (2) subtracting therefrom the number of dollars ascertained by multiplying the total production for the seeded acreage by the predetermined price, and (3) multiplying the remainder by the insured interest in such unit. However, if the seeded acreage on the insurance unit exceeds the insured acreage on the insurance unit, the amount of loss so determined shall be reduced on the basis of the ratio of the insured acreage to the seeded acreage; or if the premium computed for the insured acreage is less than the premium computed for the seeded acreage the amount of loss determined for the seeded acreage may be reduced on the basis of the ratio of the premium computed for the insured acreage to the premium computed for the seeded acreage, if the Corporation so elects. The total production for an insurance unit shall include all production determined in accordance with the following schedule.

SCHEDULE

Acreage classification	*Total production in bushels*
1. Acreage on which wheat is threshed (exclusive of any acreage shown in item 2 below).	1. Actual production not including wheat in a mixture with other small grains which were seeded in the growing wheat crop on released acreage.
2. Acreage on which wheat is threshed which cannot be sold for milling or feeding purposes, as determined by the Corporation.	2. Appraised production determined by dividing (i) the salvage value, as determined by the Corporation, of the threshed wheat by (ii) the predetermined price.
3. Acreage not threshed but otherwise harvested as grain.	3. Appraised production.
4. Acreage released by the Corporation and planted to a substitute crop.	4. That portion of the appraised production which is in excess of the number of bushels determined by dividing (i) the amount of coverage for such acreage by (ii) the predetermined price.
5. Acreage not harvested and not planted to a substitute crop.	5. Appraised production that would be realized if the crop remained for harvest, except that the first bushel per acre of such production shall not be counted.
6. Acreage put to another use without being released by the Corporation.	6. Appraised production but not less than the product of (i) such acreage and (ii) the bushel equivalent of the coverage per acre for harvested acreage determined on the basis of the predetermined price.
7. Acreage with reduced yield due solely to any cause(s) not insured against.	7. Appraised number of bushels by which production has been reduced but not less than the product of (i) such acreage and (ii) the bushel equivalent of the coverage per acre determined on the basis of the predetermined price, minus any wheat harvested.
8. Acreage with reduced yield due partially to any cause(s) not insured against and partially to any cause(s) insured against.	8. Appraised number of bushels by which production has been reduced because of any cause(s) not insured against.

(b) If the production from two or more insurance units is commingled and the insured fails to establish and maintain records satisfactory to the Corporation of acreage or the production from each, the insurance with respect to such units may be voided by the Corporation for the crop year and the premium forfeited by the insured. However, if all the component parts are insured, the total coverage for the component parts may be considered as the total coverage for the combination, if the Corporation so elects, in which case any loss for such combination shall be determined as outlined in paragraph (a) of this section. Where the insured fails to establish and maintain separate records, satisfactory to the Corporation, of uninsured acreage and production therefrom and for one or more insurance units or portions thereof, any production from such acreage which is commingled with production from the insured acreage shall be considered to have been produced on the insured acreage, or the insurance with respect to such unit(s) under the contract may be voided by the Corporation for the crop year and the premium forfeited by the insured.

20. *Payment of indemnity.* (a) Indemnities shall be paid only by check. The amount of indemnity for which the Corporation may be liable will be payable within thirty days after satisfactory proof of loss is approved by the Corporation, but if payment is delayed for any reason the Corporation shall not be liable for interest or damages on account of such delay.

(b) Indemnities shall be subject to all provisions of the contract, including the right of the Corporation to deduct from any indemnity the unpaid amount of any earned premium plus any interest due or any other obligation of the insured to the Corporation.

(c) Any indemnity payable under a contract shall be paid to the insured or such other person as may be entitled to the benefits under the provisions of the contract, notwithstanding any attachment, garnishment, receivership, trustee process, judgment, levy, equity, or bankruptcy, directed against the insured or such other person, or against any indemnity alleged to be due to such person; nor shall the Corporation or any officer, employee, or representative thereof, be a proper party to any suit or action with reference to such indemnity, nor be bound by any judgment, order, or decree rendered or entered therein. Nothing herein contained shall excuse any person entitled to the benefits of the contract from full compliance with, or performance of, any lawful judg-

ment, order, or decree with respect to the disposition of any sums paid thereunder as an indemnity.

(d) If a check issued in payment of an indemnity is returned undeliverable at the last known address of the payee, and if such payee or other person entitled to the indemnity makes no claim for payment within two years after the issuance of the check, such claim shall not thereafter be payable, except with the consent of the Corporation.

21. *Payment to transferee.* (a) If the insured transfers all or a part of his insured interest in a wheat crop before the beginning of harvest or the time of loss, whichever occurs first, he shall immediately notify the Corporation thereof in writing at the county office. The transferee under such a transfer will be entitled to the benefits of the contract with respect to the interest so transferred, provided the transferee immediately following the transfer makes suitable arrangements with the Corporation for the payment of any premium with respect to the interest so transferred, whereupon the transferee and the transferor shall be jointly and severally liable for the amount of such premium. Any transfer shall be subject to any collateral assignment made by the original insured in accordance with section 25. However, the Corporation shall not be liable for a greater amount of indemnity in connection with the insured crop than would have been paid if the transfer had not taken place.

(b) An involuntary transfer of an insured interest in a wheat crop solely because of the existence of a debt, lien, mortgage, garnishment, levy, execution, bankruptcy, or other process shall not entitle any holder of any such interest to any benefits under the contract.

(c) Any deduction to be made from an indemnity payable to the transferee shall not exceed the annual premium, plus any interest due, on the land involved in the transfer for the crop year in which the transfer is made, plus the unpaid amount of any other obligation of the transferee to the Corporation.

(d) If, as a result of any transfer, diverse interests appear with respect to any insurance unit, any indemnity payable with respect to such unit may be paid jointly to all persons having the insured interest in the crop at the time harvest is commenced or the time of loss, whichever occurs first, or to one of such persons on behalf of all such persons, and payment in any such manner shall constitute a complete discharge of the Corporation's liability with respect to such unit under the contract.

(e) If a transfer is effected in accordance with paragraph (a) above, the contract of the transferor shall cover the interest so transferred only to the end of the insurance period for the crop year during which the transfer is made.

22. *Determination of person to whom indemnity shall be paid.* In any case where the insured has transferred his interest in all or a part of the wheat crop on any insurance unit, or has ceased to act as a fiduciary, or has died, has been judicially declared incompetent or has disappeared, payment in accordance with the provisions of the contract will be made only after the facts have been established to the satisfaction of the Corporation. The determination of the Corporation as to the existence or non-existence of a circumstance in the event of which payment may be made and of the person(s) to whom such payment will be made shall be final and conclusive. Payment of an indemnity under this section shall constitute a complete discharge of the Corporation's obligation with respect to the loss for which such indemnity is paid and settled and shall be a bar to recovery by any other person.

23. *Other insurance.* (a) If the insured has or acquires any other insurance against substantially all the risks that are insured against by the Corporation under the contract, regardless of whether such other insurance is valid or collectible, the liability of the Corporation shall not be greater than its share would be if the amount of its obligations were divided equally between the Corporation and such other insurer.

(b) In any case where an indemnity is paid to the insured by another Government agency because of damage to the wheat crop, the Corporation reserves the right to determine its liability under the contract taking into consideration the amount paid by such other agency.

24. *Subrogation.* The Corporation may require from the insured an assignment of all rights of recovery against any person(s) for loss or damage to the extent that payment therefor is made by the Corporation, and the insured shall execute all papers required and shall do everything that may be necessary to secure such rights.

25. *Collateral assignment.* The original insured may assign his right to an indemnity under the contract by executing a form entitled "Collateral Assignment," and upon approval thereof by the Corporation the interest of the assignee will be recognized, including the right of the assignee to submit a "Statement in Proof of Loss" if the insured refuses to submit or disappears without having submitted such statement.

26. *Records and access to farm.* For the purpose of enabling the Corporation to determine any loss that may have occurred under the contract, the insured shall keep, or cause to be kept, for one year after the time of loss, records of the harvesting, storage, shipment, sale, or other disposition, of all wheat produced on each insurance unit covered by the contract, and on any uninsured acreage in the county in which he has an interest. Such records shall be made available for examination by the Corporation, and as often as may be reasonably required, any person(s) designated by the Corporation shall have access to the farm(s).

27. *Voidance of contract.* The contract may be voided and the premium forfeited to the Corporation without the Corporation's waiving any right or remedy, including its right to collect the amount of the note executed by the insured, whether before or after maturity, if (a) at any time the insured has concealed any material fact or made any false or fraudulent statements relating to the contract, the subject thereof, or his interest in the wheat crop covered thereby, or (b) the insured shall neglect to use all reasonable means to produce, care for or save the wheat crop covered thereby, whether before or after damage has occurred, or (c) the insured fails to give any notice, or otherwise fails to comply with the terms of the contract, including the note, at the time and in the manner prescribed.

28. *Modification of contract.* No notice to any representative of the Corporation or the knowledge possessed by any such representative or by any other person shall be held to effect a waiver of or change in any part of the contract, or to estop the Corporation from asserting any right or power under such contract, nor shall the terms of such contract be waived or changed except as authorized in writing by a duly authorized officer or representative of the Corporation; nor shall any provision or condition of the contract or any forfeiture be held to be waived by any delay or omission by the Corporation in exercising its rights and powers thereunder or by any requirement, act, or proceeding on the part of the Corporation or of its representatives relating to appraisal or to any examination herein provided for.

29. *General.* (a) In addition to the terms and provisions in the application and policy, the Wheat Crop Insurance Regulations for Continuous Contracts Covering 1949 and Succeeding Crop Years (7 CFR, Part 418, §§ 418.151–418.163) shall govern with respect to (1) death, incompetence, or disappearance of the insured, (2) fiduciaries, (3) prohibition against assignment or transfer of claims for refunds, (4) founding of fractional units, (5) creditors and (6) minimum participation requirements.

(b) Copies of the regulations and forms referred to in this policy are available at the county office.

30. *Meaning of terms.* For the purpose of the wheat crop insurance program, the terms:

(a) "Contract" means the accepted application for insurance and this policy.

(b) "County Actuarial Table" means the form and related material (including the crop insurance maps) approved by the Corporation for listing the coverages per acre and the premium rates per acre applicable in the county.

(c) "County office" means the office of the County Agricultural Conservation Association in the county or other office specified by the Corporation.

(d) "Crop year" means the period within which the wheat crop is seeded and normally harvested, and shall be designated by reference to the calendar year in which the crop is normally harvested.

(e) "Harvest" means any mechanical severance from the land of matured wheat for threshing where the wheat crop has not been destroyed or substantially destroyed.

(f) "New ground acreage" means any acreage which has not been planted to a crop in any one of the previous three crop years, except that acreage in tame hay or rotation pasture during the previous crop year shall not be considered new ground acreage.

(g) "Person" means an individual, partnership, association, corporation, estate, or trust, or other business enterprise or other legal entity, and, wherever applicable, a state, a political subdivision of a state, or any agency thereof.

(h) "Substitute crop" means any crop, except lespedeza, biennial and perennial legumes and perennial grasses, planted on released acreage before harvest of wheat becomes general in the county as determined by the Corporation. Biennial and perennial legumes and perennial grasses seeded with the wheat or in the growing wheat crop shall not be considered a substitute crop. If other small grains are seeded in a growing wheat crop on released acreage, the crop of mixed wheat and other grains shall be considered a substitute crop.

(i) "Tenant" means a person who rents land from another person for a share of the wheat crop or proceeds therefrom produced on such land.

31. *Irrigated acreage.* (a) In addition to the provisions of section 4, where insurance is written on an irrigated basis the following provisions shall apply:

(1) The acreage of wheat which shall be insured on an irrigated basis in any year shall not exceed that acreage which can be irrigated properly with facilities available and with a supply of irrigation water which could reasonably be expected, taking into consideration the amount of water required to properly irrigate the acreage of all irrigated crops on the farm, except that in areas where a part of the wheat is normally irrigated and a part is not normally irrigated, the acreage of wheat which shall be insured on an irrigated basis in any year shall not exceed that acreage which could be irrigated in a normal year with the facilities available. Also, in all Texas counties, the acreage of wheat on any farm which shall be insured on an irrigated basis in any year shall not exceed that acreage on which the following irrigation requirements are met: (i) One early season irrigation of at least 3-acre inches either

before seeding of wheat or immediately after seeding the wheat if there is a deficiency of soil moisture at that time, and (ii) one irrigation of not less than 3-acre inches during the early spring growing season if there is a deficiency of soil moisture at that time.

(2) Insurance shall not attach with respect to acreage seeded to wheat the first year after being leveled.

(b) In addition to the causes of loss insured against shown on the first page of this policy the contract shall cover loss due to failure of the water supply from natural causes that could not be foreseen and prevented by the insured, including (1) lowering of the water level in pump wells adequate at the beginning of the growing season to the extent that either deepening the well or drilling a new well would be necessary to obtain an adequate supply of water, (2) failure of public power used for pumping or failure of an irrigation district or water company to deliver water where such failure is not within the control of the insured, and (3) the collapse of casing in wells.

(c) In addition to the causes of loss not insured against shown in section 11, the contract shall not cover loss caused by (1) failure to provide adequate casing or properly to adjust the pumping equipment in the event of a lowering of the water level in pump wells when such adjustment can be made without deepening the well, (2) failure properly to apply irrigation water to wheat in proportion to the need of the crop and the amount of water available for all irrigated crops and (3) shortage of irrigation water on any farm where the Corporation determines that the total acreage of all irrigated crops on the farm is in excess of that which could be irrigated properly with the facilities available and with the supply of irrigation water which could be reasonably expected.

32. *Date table.* For each year of the contract the cancellation date, discount date and maturity date are as follows:

State and county [1]	Cancellation date [2]	Discount date	Maturity date
California	June 30	Feb. 28	June 30
Colorado:			
For spring wheat	Apr. 30	June 15	Do.
For winter wheat	do	Feb. 28	Do.
Idaho	June 30	June 15	July 31
Illinois	do	Feb. 28	June 30
Indiana	do	do	Do.
Kansas	Apr. 30	do	June 15
Maryland	June 30	do	June 30
Michigan	do	do	Do.
Minnesota:			
Dakota	do	June 15	July 31
All others	Dec. 31	do	Do.
Missouri	June 30	Feb. 28	June 30
Montana:			
Chouteau	Apr. 30	June 15	July 31
Fergus	do	do	Do.
Hill	do	do	Do.
Judith Basin	do	do	Do.
Liberty	do	do	Do.
Pondera	do	do	Do.
All others	Dec. 31	do	Do.
Nebraska	Apr. 30	Feb. 28	June 30
New Mexico	do	do	Do.
New York	June 30	do	Do.
North Dakota	Dec. 31	June 15	July 31
Ohio	June 30	Feb. 28	June 30
Oklahoma	Apr. 30	do	June 15
Oregon	June 30	June 15	July 31
Pennsylvania	do	Feb. 28	June 30
South Dakota:			
Meade	Apr. 30	June 15	July 31
Tripp	do	do	Do.
All others	Dec. 31	do	Do.
Texas	Apr. 30	Feb. 28	June 15
Utah:			
For spring wheat	June 30	June 15	July 31
For winter wheat	do	Feb. 28	Do.
Washington	do	June 15	Do.
Wyoming:			
For spring wheat	Apr. 30	do	June 30
For winter wheat	do	Feb. 28	Do.

[1] If no county name(s) appears for a State, the dates shown for such State are applicable to all wheat crop insurance counties in that State.

[2] The cancelation date for any year is the applicable date preceding the calendar year in which the wheat is to be harvested.

NOTE: The record keeping requirements of these regulations have been approved by, and subsequent reporting requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Adopted by the Board of Directors on May 5, 1948.

[SEAL] E. D. BERKAW,
Secretary,
Federal Crop Insurance Corporation.

Approved: May 11, 1948.

N. E. DODD,
Acting Secretary of Agriculture.

[F R. Doc. 48-4378; Filed, May 13, 1948; 8:57 a. m.]

TITLE 15—COMMERCE

Chapter I—Bureau of the Census, Department of Commerce

[Foreign Commerce Statistical Decision 65]

PART 30—FOREIGN TRADE STATISTICS

REPORTS OF VESSEL ENTRANCES AND CLEARANCES

Pursuant to section 4 of the Administrative Procedure Act, approved June 11, 1946 (Public Law 404, 79th Cong., 2d Sess.) the Foreign Commerce Statistical Decision indicated above is of such a nature that preliminary notice and hearing are deemed unnecessary. This decision is therefore made effective immediately.

Section 30.48 is amended to read as follows:

§ 30.48 *Semi-weekly reports of vessel entrances and clearances.* (a) Collectors and Deputy Collectors of Customs will transmit twice a week the duplicate copies of Customs Form 1400 "Record of Vessels Engaged in Foreign Trade—Entered or Arrived Under Permit to Proceed," and Customs Form 1401 "Record of Vessels Engaged in Foreign Trade—Cleared or Granted Permit to Proceed," to the Customs Statistics Section, Foreign Trade Division, Bureau of the Census, Room 434 Customhouse, New York 4, New York. These should be transmitted promptly. A semiweekly report should include only entrances and clearances occurring in one calendar month.

(b) Whenever there are no transactions during any particular semi-weekly period, a report to that effect should be rendered for the required period on Commerce Form 550—"No transactions." (R. S. 161, 336, as amended, secs. 4, 5, 32 Stat. 826, 827 as amended, sec. 1, 18 Stat. 352, as amended; 5 U. S. C. 22, 601, 15 U. S. C. 173, 175, 178)

This decision is effective immediately.

J. C. CAPT,
Director
Bureau of the Census.

Approved:

WILLIAM C. FOSTER,
Acting Secretary of Commerce.

[F. R. Doc. 48-4365; Filed, May 13, 1948; 8:55 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 51914]

PART 16—LIQUIDATION OF DUTIES

CONVERSION OF ARGENTINE PESOS FOR PURPOSE OF ASSESSMENT OF DUTY ON MERCHANDISE IMPORTED INTO UNITED STATES

Reference is made to cases in which appraisement has been withheld or liquidation has been suspended pending the determination of the proper rate or rates for the Argentine peso for customs purposes.

The Federal Reserve Bank of New York has certified two rates of exchange for the Argentine peso, one designated as the "Official" rate and the other not designated by a distinctive name, during the period commencing March 27, 1941, and continuing to date.

Argentina has had a form of exchange control since 1931, when a Commission for Control of Exchange was established for the purpose of administering exchange regulations including the fixing of buying and selling rates for foreign currencies. These regulations and resulting operations gave rise to the "Official" rate of exchange for the Argentine currency. In November of 1933, by a resolution of the Ministry of Finance, an existing exchange market was recognized by the Government as a "free" market in which foreign exchange accruing from all sources other than exports could be sold. This resolution was amended in December of 1933 to permit the sale in the free market of foreign exchange resulting from exports other than "regular" exports.

In the latter part of 1940 and the early part of 1941 the exchange control regulations and export controls were again changed. Under the provisions of these amendments foreign exchange covering the f. o. b. value of exports from Argentina (which in the case of exports to the United States means U. S. dollars) was required to be sold or surrendered to the Central Bank or a bank authorized to deal in foreign exchange. Foreign exchange, resulting from exports to the United States of the main export commodities of that country (believed to include grain, meat, and other packing house products, wool, hides, and dairy products) designated as "regular" exports, was required to be sold or surrendered at the "Official" rate as fixed from time to time by the Banco Central de Argentina (which took over the duties of the Commission for Control of Exchange as related to the fixing of rates and the buying and selling of exchange) The exchange derived from payment for "non-regular" exports (i. e., exports other than regular exports, consisting in general of new products, or products previously not regularly exported from Argentina or exported only in limited quantities, and believed to include manufactured goods where the cost of the raw materials is less than 50 percent of the value of the finished product, such as, at least during certain periods, leather handbags, shoes, cheese, wines, bever-

ages) was required to be sold or surrendered to authorized banks in Argentina at a rate, fixed from time to time by the Central Bank, and sometimes referred to as the "preferential" buying rate. This is a rate more favorable to the Argentine exporter than the "Official" rate.

It is understood that the "Official" rate as certified by the Federal Reserve Bank of New York corresponds to the rate applicable to regular exports from Argentina and the "Undesignated" rate corresponds to the rate applicable to nonregular exports from Argentina, designated commercially as the "preferential" buying rate.

In 1943 the classification of products as non-regular exports was limited, and in 1944 the list of products subject to the rate for non-regular exports was greatly reduced. It is believed that by decrees or regulations, copies of which are not available to the Treasury Department and the contents not fully known, numerous changes have been made from time to time since March 1941 in the categories or lists of products comprising regular and non-regular exports.

It is understood that under the various resolutions and decrees by which products were added to or removed from the lists or categories of regular or nonregular exports, or were transferred from one to the other of such lists or categories, provision may have been made for disposition of the exchange proceeds of certain exports on the basis of their former category although actual shipment did not occur until after the date of transfer to their new category. It is possible that such exceptional treatment may have been allowed because the contract between exporter and importer was made on the basis of the earlier exchange requirement. It is also believed that shipments of certain commodities or classes or types of commodities may have been allowed on the basis of exchange negotiated in a "free market" (the rate for which has not been certified by the Federal Reserve Bank of New York, and is understood to be lower than either the "Official" or "Undesignated" rate, i. e., shows a lower amount of United States money as equivalent to the peso) even though the substantial majority of products for export were on the regular or nonregular export list, subject to one of the other of the less favorable rates. Cases have been noted in which the exchange rate used in connection with payment for the merchandise differed from the rate used in connection with the payment for certain costs, charges, or expenses. It further appears that upon the export of products not of national (Argentine) origin or products manufactured with 50 percent or more of products not of national origin, the sale or surrender of the resulting foreign exchange may have been permitted or required at rates other than the rates for regular or nonregular exports.

However, the provisions which allowed such special or exceptional treatment are not sufficiently well-known, nor understood to be of sufficiently uniform application to classes of commodities, to warrant disposition different from the disposition authorized by the instructions set forth below.

In the case of any importation of merchandise exported from Argentina on or after March 27, 1941, the appraiser and collector shall proceed, respectively, with the appraisement and liquidation according to the following procedure, provided the requirements outlined below are complied with:

1. No rate of exchange shall be used for customs purposes under these instructions except a rate certified by the Federal Reserve Bank of New York for the date of exportation of the merchandise, unless there is a proclaimed value for Argentine currency which varies by less than 5 percent from the certified rate determined to be applicable to that merchandise in accordance with the numbered paragraphs below, in which case that proclaimed value shall be used as to that merchandise.

2. Where the appraisement is made in Argentine currency the appraiser shall designate in his report to the collector the class of currency in which appraisement is made by using the term "Official" pesos or "Undesignated" pesos, as the case may be, to identify the two types of currency for which the Federal Reserve Bank has certified rates.

3. For all purposes of appraisement and assessment of duties, the amount of any value established in pesos shall be considered to be in the class of currency, designated in the certifications of the Federal Reserve Bank of New York, in which, on the date of exportation of the particular merchandise, exchange of payment would be made under the exchange control provisions of the Argentine Government, as established to the satisfaction of the appraiser or collector, as the case may be, from information in his own files, information obtained and presented to him by the importer, or information obtained from other sources, and the rate certified for the class of currency in which such value has been established shall be used; except that:

(a) If the appraiser or collector has credible information that the "free market" rate of exchange or any other rate not certified by the Federal Reserve Bank of New York was used, or that the merchandise is not a product of national (Argentine) origin or is a product manufactured with materials less than 50 percent of national origin, appraisement shall be withheld and liquidation shall be suspended as to all merchandise of the type involved exported to the United States during the period involved,

(b) If the appraiser or collector has credible information that the type of rate which would otherwise be applicable under this paragraph was not used uniformly during any period in connection with the payment for the particular merchandise on which duty is being assessed and all other merchandise of the same type, appraisement shall be withheld and liquidation shall be suspended as to all merchandise of the type involved exported to the United States during the period involved,

(c) If the appraiser or collector has credible information that a rate different from the rate used in payment for the merchandise was used in payment of costs, charges, or expenses, the currency conversions for the exchange covering payment for the merchandise and for the exchange covering such costs, charges, or expenses shall be separately calculated. If the costs, charges, or expenses are dutiable they shall be calculated according to the rules stated above, and in the event that the rate used in payment of such dutiable costs, charges, or expenses was a rate not certified by the Federal Reserve Bank appraisements shall be withheld and liquidation suspended in accordance with paragraph (a) above. In deducting non-dutiable costs, charges, or expenses, the conversion of the foreign exchange shall be at the rate actually used in payment of such costs, charges, or expenses, whether or not such rate is a rate certified by the Federal Reserve Bank. Whenever appraisement is withheld or liquidation suspended a detailed report shall be transmitted immediately to the Bureau of Customs.

When information regarding any of the Argentine currency conversion practices necessary to comply with the instructions contained herein is not available at a port other than New York, the appraiser or collector shall request the Customs Information Exchange, 201 Varick Street, New York 14, New York, to furnish such pertinent information as may be available.

It is realized that many cases may arise in which there is not available locally or through the Customs Information Exchange sufficient information to identify clearly the commodities which have been subject under Argentine law to each certified rate, or which have been changed from one certified rate to the other or given special exchange treatment. The appraiser or collector shall determine in each such case whether the facts warrant appraisement and liquidation in accordance with the instructions herein or whether action shall be suspended and a report submitted to the Bureau of Customs.

Since only the "Official" rate has been published by the Secretary of the Treasury during the period of dual-rate certification by the Federal Reserve Bank of New York, the "Undesignated" rate for dates prior to the issuance of these instructions will be published in a Customs Information Exchange circular in the near future. Following the issuance of these instructions both the "Official" and the "Undesignated" rates for the Argentine peso, as certified by the Federal Reserve Bank, will be published in the Treasury decisions.

Where at the time of making entry or upon the acceptance of an amended entry information is presented to the collector or is in his possession which establishes to his satisfaction the rate for the particular importation in accordance with the pertinent requirements of these instructions, deposit of estimated duties or of supplemental estimated duties calculated in accordance with that information shall be accepted.

Section 16.4 (c) Customs Regulations of 1943 (19 CFR, Cum. Supp., 16.4 (c)), is hereby amended by adding "Argentine pesos" to the list of foreign currencies for which instructions have been issued under section 522 (c) of the Tariff Act of 1930 (31 U. S. C. 372 (c)) and by plac-

ing opposite such addition the number and date of this Treasury decision and the FEDERAL REGISTER citation thereof.

(R. S. 251, secs. 505, 624, 46 Stat. 732, 759, sec. 522, 46 Stat. 739; 19 U. S. C. 66, 1505, 1624, 31 U. S. C. 372)

Notice of the proposed issuance of the foregoing instructions was published in the FEDERAL REGISTER on February 6, 1948 (13 F R. 556) pursuant to section 4 of the Administrative Procedure Act (Public Law 404, 79th Congress) The basis of the instructions is section 522 of the Tariff Act of 1930 (31 U. S. C. 372) as construed by the courts, and their purpose is to provide instructions for applying multiple rates of exchange certified by the Federal Reserve Bank of New York for currency conversion for the assessment and collection of customs duties. These instructions shall be effective on the date of publication in the FEDERAL REGISTER, the delayed effective date requirements of section 4 (c) of the Administrative Procedure Act being dispensed with because the instructions relate to action to be taken by customs officers and, although affecting rights of interested persons, do not require any action to be taken by such persons.

[SEAL] FRANK DOW,
Acting Commissioner of Customs.

Approved: May 6, 1948.

A. L. M. WIGGINS,
Acting Secretary of the Treasury.

[F. R. Doc. 48-4359; Filed, May 13, 1948; 8:51 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 685—MINIMUM WAGE RATE IN THE FOUNDRY, MACHINE SHOP, AND FABRICATED METAL PRODUCTS INDUSTRY IN PUERTO RICO

Pursuant to the Administrative Procedure Act (60 Stat. 237; 5 U. S. C., Supp., 1001) notice was published in the FEDERAL REGISTER on April 20, 1948 (13 F R. 2110) of my decision to approve the minimum wage recommendation of Special Industry Committee No. 5 for Puerto Rico for the Foundry, Machine Shop, and Fabricated Metal Products Industry in Puerto Rico, and the wage order which I proposed to issue to carry such recommendation into effect was published therewith. Interested parties were given an opportunity to submit exceptions within 15 days of the date of publication of the notice. No exceptions have been filed, and the time for such filing has expired.

Accordingly, pursuant to authority vested in me by the Fair Labor Standards Act of 1938 (52 Stat. 1064, 29 U. S. C. 201), the said decision is hereby affirmed and made final, and the said wage order is hereby issued, to become effective June 14, 1948 as provided therein.

Sec.
685.1 Approval of recommendation of Industry Committee.
685.2 Wage rate.
685.3 Notices of order.
685.4 Definition of the Foundry, Machine Shop, and Fabricated Metal Products Industry in Puerto Rico.

AUTHORITIES: §§ 685.1 to 685.4, inclusive, issued under secs. 5 (e), 8, 52 Stat. 1062, 1064, as amended; 29 U. S. C. 205 (e), 208.

§ 685.1 *Approval of recommendation of Industry Committee.* The Committee's recommendation is hereby approved.

§ 685.2 *Wage rate.* Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the Foundry, Machine Shop, and Fabricated Metal Products Industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

§ 685.3 *Notices of order.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the Foundry, Machine Shop, and Fabricated Metal Products Industry in Puerto Rico shall post and keep posted in a conspicuous place in each department where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor and shall give such other notice as the Division may prescribe.

§ 685.4 *Definition of the Foundry, Machine Shop, and Fabricated Metal Products Industry in Puerto Rico.* The Foundry, Machine Shop, and Fabricated Metal Products Industry in Puerto Rico, to which this order shall apply, is hereby defined as follows:

The manufacture (including repair) of any product or part made wholly or chiefly of metal, and the assembling of such product or part (wherever done) with other products or parts made from any materials other than metal to form any product the chief component of which is metal; *Provided, however* That there shall be excluded from this industry any product covered by the wage order for the button, bead, and costume novelty jewelry division or the rosary and bead stringing division of the metal, plastics, machinery, instrument, transportation equipment, and allied industries in Puerto Rico, or any product or operation covered by the wage order for the construction, business service, motion pictures, and miscellaneous industries in Puerto Rico.

Signed at Washington, D. C., this 7th day of May 1948.

WM. R. MCCOMB,
Administrator
Wage and Hour Division.

[F. R. Doc. 48-4389; Filed, May 13, 1948; 10:48 a. m.]

PART 690—MINIMUM WAGE RATES IN THE SMALL LEATHER GOODS AND RELATED PRODUCTS INDUSTRY IN PUERTO RICO

Whereas, on June 16, 1947, pursuant to section 5 (e) of the Fair Labor Standards Act of 1938, hereinafter called the Act, I, as Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 367, appointed Special Industry Committee No. 5 for Puerto Rico, hereinafter called the Committee, and directed the Committee to proceed first to investigate conditions and to recommend to me minimum wage rates for employees in the Sugar Manufacturing Industry in Puerto Rico, as defined in Administrative Order No. 367, and thereafter to investigate conditions and to recommend to me minimum wage rates for employees in other industries enumerated and defined in the order, as amended by Administrative Order No. 369, including the Small Leather Goods and Related Products Industry in Puerto Rico, in accordance with the provisions of the Act and rules and regulations promulgated thereunder; and

Whereas, the Committee for purposes of investigating conditions and recommending minimum wage rates for employees in the Small Leather Goods and Related Products Industry in Puerto Rico, included three disinterested persons representing the public, a like number representing employees, and a like number representing employees in the Small Leather Goods and Related Products Industry in Puerto Rico, and was composed of residents of Puerto Rico and of the United States outside of Puerto Rico; and

Whereas, the Committee, after investigating economic and competitive conditions in the Small Leather Goods and Related Products Industry in Puerto Rico, filed with me a report containing (a) its recommendations that the Small Leather Goods and Related Products Industry in Puerto Rico, as defined in Administrative Order No. 367, be divided into separable divisions for the purpose of fixing minimum wage rates, and that classifications specified by the Committee be made in the recommended separable divisions; (b) the titles and definitions recommended by the Committee for such separable divisions of the industry; and (c) its separable recommendations for minimum wage rates to be paid employees engaged in commerce or in the production of goods for commerce in the separable recommended divisions of the Small Leather Goods and Related Products Industry in Puerto Rico, namely:

(1) 17 cents an hour to the employees in the Small Leather Goods Division engaged in hand-sewing or hand-lacing operations, and 27 cents an hour to the employees in that division engaged in all other operations;

(2) 18 cents an hour to the employees in the Baseball and Softball Division engaged in hand-sewing operations; and 27 cents an hour to the employees in that division engaged in all other operatons;

(3) 21 cents an hour to the employees in the Braided Leather Button Division engaged in hand-braiding operations, and 30 cents an hour to employees in that division engaged in all other operations; and

Whereas, pursuant to notice published in the FEDERAL REGISTER on November 22, 1947, and circulated to all interested per-

sons, a public hearing upon the Committee's recommendation was held by me in Washington, D. C., on December 18, 1947, at which all interested persons were given an opportunity to be heard; and

Whereas, an opportunity was provided for any interested persons appearing at the hearing to submit proposed findings and conclusions within 15 days after the close of the hearing, no such proposed findings and conclusions have been filed, and the time for filing has expired; and

Whereas, upon reviewing all the evidence adduced in this proceeding and after giving consideration to the provisions of the act, particularly sections 5 and 8 thereof, I have concluded that the recommendations of the Committee for minimum wage rates in the Small Leather Goods and Related Products Industry in Puerto Rico, as defined, were made in accordance with law, are supported by the evidence adduced at the hearing, and taking into consideration the same factors as are required to be considered by the Committee, will carry out the purposes of Sections 5 and 8 of the Act; and

Whereas, I have set forth my decision in a document entitled "Findings and Opinion of the Administrator in the Matter of the Recommendations of Special Industry Committee No. 5 for Puerto Rico for Minimum Wage Rates in the Small Leather Goods and Related Products Industry in Puerto Rico," a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, Washington, 25, D. C.,

Now, therefore, it is ordered that:

Sec.
690.1 Approval of recommendations of Industry Committee.
690.2 Wage rates.
690.3 Notices of order.
690.4 Definition of the Small Leather Goods and Related Products Industry in Puerto Rico.

AUTHORITY: §§ 690.1 to 690.4, inclusive, issued under secs. 5 (e), 8, 52 Stat. 1062, 1064, as amended; 29 U. S. C. 205 (e), 208.

§ 690.1 *Approval of recommendations of Industry Committee.* The Committee's recommendations are hereby approved.

§ 690.2 *Wage rates.* (a) (1) Wages at a rate of not less than 17 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the Small Leather Goods Division of the Small Leather Goods and Related Products Industry in Puerto Rico who is engaged in hand-sewing operations or hand-lacing operations, and who is engaged in commerce or in the production of goods for commerce.

(2) Wages at a rate of not less than 27 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the Small Leather Goods Division of the Small Leather Goods and Related Products Industry in Puerto Rico who is engaged in operations or hand-lacing operations, and who is engaged in commerce or in the production of goods for commerce.

(b) (1) Wages at a rate of not less than 18 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the Baseball and Softball Division of the Small Leather Goods and Related Products Industry in Puerto Rico who is engaged in hand-sewing operations, and who is engaged in commerce or in the production of goods for commerce.

(2) Wages at a rate of not less than 27 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the Baseball and Softball Division of the Small Leather Goods and Related Products Industry in Puerto Rico who is engaged in operations other than hand-sewing operations, and who is engaged in commerce or in the production of goods for commerce.

(c) (1) Wages at a rate of not less than 21 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the Braided Leather Button Division of the Small Leather Goods and Related Products Industry in Puerto Rico who is engaged in hand-braiding operations, and who is engaged in commerce or in the production of goods for commerce.

(2) Wages at a rate of not less than 30 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the Braided Leather Button Division of the Small Leather Goods and Related Products Industry in Puerto Rico who is engaged in operations other than hand-braiding operations, and who is engaged in commerce or in the production of goods for commerce.

§ 690.3 *Notices of order.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the Small Leather Goods and Related Products Industry in Puerto Rico shall keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor and shall give such other notice as the Division may prescribe; and

§ 690.4 *Definition of the Small Leather Goods and Related Products Industry in Puerto Rico.* The Small Leather Goods and Related Products Industry in Puerto Rico, to which this order shall apply, is hereby defined as follows:

(a) The manufacture from leather, artificial leather, fabric, or similar materials of small leather goods and like articles, such as wallets, billfolds, card cases, key cases, cigarette cases, watch straps, pouches, tie cases, and toilet kits.

(b) The manufacture of baseballs and softballs covered with leather, artificial leather, fabric, or similar materials.

(c) The manufacture of buttons made of strips of leather by a hand-braiding process.

This definition includes all articles heretofore covered by the definition of the Leather Goods Industry.

The separable divisions of the industry as above defined, to which this wage order and its several provisions shall apply, are hereby defined as follows:

(a) *Small Leather Goods Division.* The manufacture from leather, artificial leather, fabric, or similar materials of small leather goods and like articles, such as wallets, billfolds, card cases, key cases, cigarette cases, watch straps, pouches, tie cases, and toilet kits.

(b) *Baseball and Softball Division.* The manufacture of baseballs and softballs covered with leather, artificial leather, fabric, or similar materials.

(c) *Braided Leather Button Division.* The manufacture of buttons made of strips of leather by a handbraiding process.

Effective date. This wage order shall become effective June 14, 1948.

Signed at Washington, D. C., this 7th day of May 1948.

WM. R. MCCOMB,
Administrator,
Wage and Hour Division.

[F. R. Doc. 48-4330; Filed, May 13, 1948; 10:49 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter III—Corps of Engineers, Department of the Army

PART 311—PUBLIC USE OF CERTAIN RESERVOIR AREAS

MISCELLANEOUS AMENDMENTS

The Secretary of the Army having determined that the use of the Canton Reservoir, Oklahoma, by the general public for boating, swimming, bathing, fishing, and other recreational purposes will not be contrary to the public interest and will not be inconsistent with the operation and maintenance of the reservoir for its primary purposes, hereby prescribes rules and regulations pursuant to the provisions of section 4 of the act of Congress approved December 22, 1944 (58 Stat. 889; 16 U. S. C. 460d) as amended by the Flood Control Act of 1946 (60 Stat. 641) for the public use of the Canton Reservoir Area, Oklahoma.

Paragraph (j) is added to § 311.1, and subparagraph (3) is added to § 311.4 (a) as follows:

§ 311.1 *Areas covered.* * * *

(j) Canton Reservoir Area, North Canadian River, Oklahoma.

* * * * *

§ 311.4 *Houseboats.* (a) * * *

(3) Canton Reservoir, North Canadian River, Oklahoma.

[Regs. Apr. 29, 1948, ENGWF] (58 Stat. 889, as amended by 60 Stat. 641, 16 U. S. C. 460d)

[SEAL] H. B. LEWIS,
Major General,
Acting The Adjutant General.

[F. R. Doc. 48-4362; Filed, May 13, 1948; 8:55 a. m.]

TITLE 37—PATENTS AND COPYRIGHTS

Chapter I—Patent Office, Department of Commerce

Subchapter A—Patents

PART 1—PATENTS

SCHEDULE OF FEES

The following amendments are made in § 1.191 *Schedule of fees.*

1. Amend the following "For uncertified copies of the specifications and accompanying drawings of patents, if in print, each ____ 0.25" by inserting in parentheses "except design patents" between the words "patents" and "if"

2. Delete "For the drawings, if in print ____ 0.10" and substitute "For uncertified copies of design patents, if in print ____ 0.10"

3. Delete "For 20-coupon orders each coupon good for one copy of a printed specification and drawing, and receivable in payment of photographic prints ____ 2.00" and "For 100 coupons in stub books ____ 10.00" Substitute:

Pads of 10¢ coupons for printed copies of trade-marks and designs and receivable in payment for photographic prints:

For 20 coupons	2.00
For 100 coupons with stub for record	10.00

and

Pads of 25¢ coupons for printed copies of patents and receivable in payment for photographic prints:

For 20 coupons	5.00
For 100 coupons with stub for record	25.00

4. Amend the following: "Trade-Mark supplements $5.00 per annum; single numbers ____ 0.15" by changing "$5.00" to "$6.00"

5. Amend the following: "annual index relating to trade-marks ____ 0.75" by changing ".75" to "1.50"

6. Amend the following "For Manual Classification, per copy ____ 2.50" to read "For Manual of Classification, per copy ____ 4.00"

(Sec. 301, 60 Stat. 471, 35 U. S. C. Sup. 78)

LAWRENCE C. KINGSLAND,
Commissioner of Patents.

Approved:

WILLIAM C. FOSTER,
Acting Secretary of Commerce.

[F R. Doc. 48-4364; Filed, May 13, 1948; 8:55 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

POLAND; PROHIBITED ARTICLES AND IMPORT RESTRICTIONS

In § 127.3 *Letters and letter packages* (13 F R. 894), make the following changes:

1. In paragraph (f) delete "Poland" from the list of countries therein contained.

2. In paragraph (g) insert a new country, "Poland", between "Peru (ordinary)" and "Rio de Oro" in the list of countries therein contained.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] V C. BURKE,
Acting Postmaster General.

[F. R. Doc. 48-4334; Filed, May 13, 1948; 8:47 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

CURACAO; SMALL PACKETS AND LETTER PACKAGES

Part 127, Chapter I, Title 39, Code of Federal Regulations, is amended as follows:

1. In § 127.3 *Letters and letter packages* (13 F. R. 894) make the following changes:

a. Amend paragraph (f) by inserting a new country, "Curacao," between Cuba, and Cyprus, in the list of countries therein contained.

b. Amend paragraph (g) by deleting "Curacao" from the list of countries therein contained.

2. In § 127.10 *Small packets* (13 F. R. 898) make the following changes:

a. Amend paragraph (e) by inserting a new country, "Curacao," between Costa Rica and Cyprus, in the list of countries therein contained.

b. Amend paragraph (f) by deleting "Curacao" from the list of countries therein contained.

3. In § 127.236 *Curacao* (13 F. R. 960), make the following changes:

a. Amend the first paragraph to read as follows:

§ 127.236 *Curacao—(Aruba, Bonaire, Curacao, Saba, St. Eustatius and the Netherlands Part of St. Martin)*—(a) *Regular mails.* See Table No. 1, § 127.200, for classifications, rates, weight limits, and dimensions. Small packets accepted.

b. Amend subparagraph (5) to read as follows:

(5) *Dutiable articles (merchandise) prepaid at letter rate.* Accepted. (See § 127.3.)

c. A new subparagraph, (6) is added, reading as follows:

(6) *Prohibitions.* Same as parcel post.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-4330; Filed, May 13, 1948; 8:46 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

POSTAL UNION (REGULAR) MAILS; ARTICLES FOR FOREIGN COUNTRIES

Amend § 127.31 *Postmarking* of Subpart A (13 F R. 904), to read as follows:

§ 127.31 *Postmarking.* (a) All Postal Union articles addressed for delivery in foreign countries are required to bear a legible impression of the postmarking stamp of the mailing office, except second-class matter, mailed by publishers or registered news agents to countries to which the domestic regulations apply, matter mailed with pre-canceled stamps, and matter mailed under permit without stamps affixed, as provided in § 6.4 of this chapter. However, the application of the postmarking stamp is not obligatory for unregistered articles prepaid by means of impressions of stamping machines, provided the indication of the place and date of mailing appears in such impressions. Also, unregistered articles other than letters and postcards need not be postmarked if the place of origin appears on the articles. Registered articles shall be postmarked as required by § 16.13 of this chapter. All valid postage stamps shall be canceled.

(b) The impression of the date stamp of the office at which they arrive through error shall be placed on the back of missent letters (registered or not) and on the front of missent postcards. In the case of forwarded articles, the redispatching office applies its date stamp on the front of articles in the form of cards; on the back of letters and all other classes of mail at the time of forwarding. Postmasters should cause care to be taken not to deface by their own postmark, nor cover with postage-due stamps, any postmark already on the article. (R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-4328; Filed, May 13, 1948; 8:46 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

POSTAL UNION (REGULAR) MAILS; RATES OF POSTAGE IN FOREIGN COUNTRIES ON ARTICLES MAILED TO THE UNITED STATES

In Subpart A of Part 127, Title 39, Code of Federal Regulations (13 F R. 892), make the following change:

Delete § 127.55 *Rates of postage in foreign countries on articles mailed to the United States* (13 F R. 912) in its entirety.

(Secs. 5, 6, 49 Stat. 501, sec. 3, 60 Stat. 238; 5 U. S. C. 1002, 44 U. S. C. 305, 306)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-4337; Filed, May 13, 1948; 8:47 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

PARCEL POST RATES; BRUNEI

In § 127.224 *Brunei,* of Subpart D (13 F. R. 947), make the following change:

In paragraph (b) (1) *Table of rates*, substitute the following for the table of rates therein contained:

[Rates include transit charges and surcharges]

Pounds:	Rate	Pounds:	Rate
1	$0.67	12	$3.53
2	.81	13	3.72
3	1.27	14	3.86
4	1.50	15	4.00
5	1.64	16	4.14
6	1.78	17	4.28
7	1.92	18	4.42
8	2.46	19	4.56
9	2.60	20	4.70
10	2.74	21	4.84
11	2.88	22	4.98

The footnotes following the present table of rates are left unchanged.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON, *Postmaster General.*

[F. R. Doc. 48-4340; Filed, May 13, 1948; 8:48 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

FRANCE, PARCEL POST

In § 127.252 *France (including Monaco)*, of Subpart D (13 F. R. 974) make the following change:

Amend paragraph (b) (3) by addition of a new subdivision (xii) to read as follows:

(xii) Parcels should not be fastened by means of wire or metal straps.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON, *Postmaster General.*

[F. R. Doc. 48-4332; Filed, May 13, 1948; 8:47 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

PARCEL POST RATES; MALAYA

In § 127.297 *Malaya*, of Subpart D (13 F. R. 1005) make the following change:

In paragraph (b) (1) *Table of rates*, substitute the following for the table of rates therein contained:

[Rates include surcharges]

Pounds:	Rate	Pounds:	Rate
1	$0.57	12	$2.92
2	71	13	3.06
3	.98	14	3.20
4	1.21	15	3.34
5	1.35	16	3.48
6	1.49	17	3.62
7	1.63	18	3.76
8	1.97	19	3.90
9	2.11	20	4.04
10	2.25	21	4.18
11	2.39	22	4.32

The footnotes following the present table of rates are left unchanged.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON, *Postmaster General.*

[F. R. Doc. 48-4333; Filed, May 13, 1948; 8:47 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

EXTENSION OF SERVICE TO NETHERLANDS INDIES

In § 127.308 *Netherlands Indies*, of subpart D (13 F. R. 1012), make the following changes:

1. Amend paragraph (a) (1) to read as follows:

(a) *Regular mails.* (1) See Table No. 1, § 127.200, for classifications, rates, weight limits, and dimensions. Small packets accepted. See subparagraph (7) *Observations*, of this paragraph, for list of the places to which the service extends.

2. Redesignate paragraph (a) (7), *Prohibitions*, as paragraph (a) (8).

3. Substitute the following for material presently appearing as paragraph (a) (7)

(7) *Observations.* Ordinary and registered articles in the regular mails may be sent to the places listed in paragraph (b) (4) of this section. In addition, ordinary articles only may be sent to the following places on the islands of Java and Madoera:

Ambarawo.	Palton.
Arosbaja.	Palaboehanratoe.
Asembagoes.	Pamanoekan.
Baliga.	Pameksan.
Bandjar.	Pandaan.
Bandjaran.	Pasirboengoer.
Bangil.	Pasirian.
Bangkalan.	Pegadenbaroe.
Batang.	Pengalengan.
Batoe.	Plered-cheribon.
Batoedjadjar.	Poerbalinggo.
Bentjoeloek.	Poerwokerto.
Bendewoso.	Pradjekan.
Demak.	Probolinggo.
Djatibarang.	Radjamandala.
Djatibarangtegal.	Rambipoedji.
Djatiroto.	Randoedongkal.
Djember.	Rantjaekek.
Gading.	Rendeh.
Garoet.	Rengasdengklok.
Genteng.	Rogodjampi.
Glenmore.	Salatiga.
Gombeng.	Sampang.
Grisee.	Sapoeloe.
Kalianget.	Segalaherang.
Kalibaroe.	Sidaredja.
Kalidjati.	Sitoebondo.
Kalisat.	Soebah.
Kaliwoengoe.	Soebang.
Kandanghaoer.	Soekamandi.
Karangampel.	Soekanegara.
Kebanjar.	Soekaradja.
Kedoengdoeng.	Soekoredjobangil.
Kedoengwoeni.	Soekoredjokendal.
Kendal.	Soemenep.
Ketapangpamekasan.	Soemploeh.
Klakah.	Soreang.
Klampok.	Srone.
Koeningan.	Tamanan.
Kraksaan.	Tandjoengcari.
Kreja.	Tasikmalaja.
Lawang.	Tjemal.
Lembang.	Tjiamis.
Limpoeng.	Tjilampek.
Loemadjang.	Tjilamaja.
Losarang.	Tjiledoek.
Madjalengka.	Tjiparaj.
Madjenang.	Tjirandjang.
Malang.	Tjitjalenka.
Maos.	Tjiwidej.
Modjokerto.	Tretes.
Modjosari.	Weleri.
Oengaran.	

4. Amend paragraph (b) (4) to read as follows:

(4) *Observations.* (i) Service is restricted to gift parcels, which may be sent to the following places only:

ISLAND OF SUMATRA

Arnhemia.	Palembang.
Batoeradja.	Pematangsiantar.
Belawan.	Perbaoengan.
Bindjei.	Perdagangan.
Galang.	Platjoe.
Kajoeagoeng.	Praboemoelih.
Kisaran.	Sabang.
Laboeanroekoe.	Serbelawan.
Lahat.	Soengeigerong.
Limapoeloeh.	Soengeirampah.
Loeboekpakan.	Tandjongbalei.
Martapoera - Zuid - Sumatra.	Tandjongenim.
	Tandjongpoera.
Medan.	Tandjongradja.
Moearaenim.	Tebingtinggideli.
Padang.	

ISLANDS OF JAVA AND MADOERA

Adiwerna.	Pasarminggoe.
Andjatan.	Pasoeroean.
Ardjawinangoen.	Pekalongan.
Balapoelang.	Pemalang.
Bandoeng.	Poerwakarta.
Banjoemas.	Semarang.
Banjoewangi.	Sepandjang.
Batavia.	Sidoardjo.
Batavlacentrum.	Sindanglaja.
Brebes.	Sindanglaoet.
Buitenzorg.	Slawi.
Cheribon.	Soekaboemi.
Depok.	Soemedang.
Djatiwangi.	Soerabaja.
Haoergeulis.	Tandjoengtegal.
Indramajoe.	Tandjongpriok.
Kadipaten.	Tangerang.
Kebajoran.	Tegal.
Ketanggoenganwest	Tjiandjoer.
Krawang.	Tjibadak.
Lampegan.	Tjigombong.
Lemahabang.	Tjilatjap.
Meestercornelis.	Tjimahi.
Padalarang.	Tjitjoeroeg.
Paroengkoeda.	

OTHER ISLANDS

All destinations.

(ii) The customs declarations should show both the gross and the net weight. In the case of foodstuffs, etc., the gross weight of the whole parcel and the net weight of each kind of merchandise should be indicated. Inaccurate information in the customs declarations may result in confiscation of the parcels by the customs.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON, *Postmaster General.*

[F. R. Doc. 48-4331; Filed, May 13, 1948; 8:47 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

PARCEL POST RATES; NORTH BORNEO (STATE OF)

In § 127.317 *North Borneo (State of)* of Subpart D, (13 F. R. 1018), make the following change:

In paragraph (b) (1), *Table of rates,* substitute the following for the table of rates therein contained:

[Rates include transit charges and surcharges]

Pounds:	Rate	Pounds:	Rate
1	$0.67	12	$3.58
2	.81	13	3.72
3	1.27	14	3.86
4	1.50	15	4.00
5	1.64	16	4.14
6	1.78	17	4.28
7	1.92	18	4.42
8	2.46	19	4.56
9	2.60	20	4.70
10	2.74	21	4.84
11	2.88	22	4.98

The footnotes following the present table of rates are left unchanged.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-4335; Filed, May 13, 1948; 8:47 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

POLAND; PROHIBITED ARTICLES AND IMPORT RESTRICTIONS

In § 127.328 *Poland,* of Subpart D (13 F. R. 1025) make the following changes:

1. In paragraph (a) *Regular mails,* delete subparagraph (5)

2. In paragraph (a) *Regular mails,* subparagraph (6) *Combination packages,* and subparagraph (7) *Prohibitions,* are redesignated as subparagraphs (5) and (6) respectively.

3. Amend the new subparagraph (6) to read as follows:

(6) *Prohibitions.* Dutiable articles in letters and packages prepaid at the letter rate. However, importation is permitted, in registered letters, of banknotes other than Polish banknotes, in amounts up to the equivalent of 100,000 zlotys in value, and of postage stamps for collections, other than current Polish stamps, up to the weight of 3½ ounces in any one article.

In addition to the foregoing, articles restricted or prohibited as parcel post are also restricted or prohibited in the regular mails.

4. In paragraph (b) (5) *Observations,* delete subdivisions (ii), (iii) (iv) (v), (vi), (viii) and (ix)

5. In paragraph (b) (5) *Observations,* subdivisions (vii) (x) (xi) (xii) and (xiii) are redesignated as subdivisions (ii), (iii), (iv) (v) and (vi) respectively.

6. Amend the new subdivision (vi) by addition of inferior subdivisions (*g*) (*h*) and (*i*) as follows:

(*g*) Books and pamphlets, except those similar to albums and consisting mainly of illustrations and non-technical descriptions thereof.

(*h*) Newspapers and periodicals, except fashion publications.

(*i*) Photographs, music books, maps, and atlases.

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] V. C. BURKE,
Acting Postmaster General.

[F. R. Doc. 48-4341; Filed, May 13, 1948; 8:48 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

PARCEL POST RATES; SARAWAK

In § 127.343 *Sarawak,* of Subpart D (13 F. R. 1035) make the following change:

In paragraph (b) (1) *Table of rates,* substitute the following for the table of rates therein contained:

[Rates include transit charges and surcharges]

Pounds:	Rate	Pounds:	Rate
1	$0.67	12	$3.58
2	.81	13	3.72
3	1.27	14	3.86
4	1.50	15	4.00
5	1.64	16	4.14
6	1.78	17	4.28
7	1.92	18	4.42
8	2.46	19	4.56
9	2.60	20	4.70
10	2.74	21	4.84
11	2.88	22	4.98

The footnotes following the present table of rates are left unchanged.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-4339; Filed, May 13, 1948; 8:48 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

TRANS-JORDAN; PARCEL POST RATES

In § 127.359 *Trans-Jordan,* of Subpart D (13 F. R. 1046), make the following change:

Amend paragraph (b) (1) by changing the table of rates therein contained to read as follows:

[Rates include transit charges]

Pounds:	Rate	Pounds:	Rate
1	$0.39	7	$1.36
2	.53	8	1.61
3	.80	9	1.75
4	.94	10	1.89
5	1.08	11	2.03
6	1.22		

The footnotes to the table of rates remain unchanged.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-4336; Filed, May 13, 1948; 8:47 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

PARCEL POST SERVICE; UNION OF SOVIET SOCIALIST REPUBLICS

In § 127.366 *Union of Soviet Socialist Republics,* of Subpart D (13 F. R. 1052), make the following change:

Amend paragraph (b) (6) (iii) to read as follows:

(iii) List of articles allowed to enter without a permit when intended for personal use:

List of articles	*Gross weight limit or total number of articles per year*
Absorbent and antiseptic cotton	2 pounds.
Articles of gold, silver and platinum	22 pounds.
Bags, purses and briefcases	1 of each.
Beans and peas	11 pounds.
Books, pictures, maps, and other prints	2 copies of each title.
Butter and lard	11 pounds.
Capers	2 pounds.
Cheese and margarine	11 pounds.
Chocolate and candy	4 pounds.
Clothing, completed; underwear, knitted or of cloth; bed and table linen.	2 suits; 2 overcoats; 2 dresses; 2 skirts; 2 blouses; 2 jumpers; 2 sweaters; 2 nightgowns; 2 sport suits; bed linen, 2 pieces of each kind; body linen, 6 suits, 3 shirts, 4 pairs socks, 2 pajamas, 2 bathing suits; table linen, 1 tablecloth, 6 napkins, 3 handtowels; 3 neckties; 1 pair suspenders; 2 pillow cases; 1 bedspread.
Cod-liver oil, transparent (medicinal)	4 pounds.
Coffee, roasted and ground	4 pounds.
Colors in tablets or powder, in boxes, cups, tubes or capsules; mixed in India ink.	7 ounces of each color.
Compound pharmaceutical products and medicines, in doses or prescribed quantities.	2 pounds gross.
Confectionery, pastries, biscuits, condensed and preserved milk and cream, jelly and marmalade.	11 pounds.
Cosmetics and perfumes	1 of each article, 1 pound in all.
Dextrine and starch	11 pounds.
Dried vegetables	11 pounds.
Eyeglasses	1 pair.
Fish and caviar	11 pounds.
Flints for lighters	1 ounce.
Flour	11 pounds.
Food prepared for infants (Nestle's and similar types)	11 pounds.

List of articles	Gross weight limit or total number of articles per year
Foodstuffs prepared and hermetically sealed, prepared mustard, soya and other condiments.	11 pounds.
Footwear	2 pairs.
Fruits and berries, dried	11 pounds.
Fruits and berries in oil or vinegar	11 pounds.
Gloves	3 pairs.
Ground chicory	6½ pounds.
Ground cocoa	4 pounds.
Gruel (oatmeal and other cereals to be cooked)	11 pounds.
Haberdashery and toilet articles (cigarette holders, pipes, ashtrays, lighters, boxes, jewelry, brushes and combs).	1 of each article.
Hats, bonnets and caps, complete	2 articles.
Honey, maltose, molasses, grape sugar, starch sugar sirups	11 pounds.
Lard and butter	11 pounds.
Macaroni and vermicelli	11 pounds.
Malt	11 pounds.
Margarine and cheese	11 pounds.
Meat extracts (condensed bouillon)	11 pounds.
Mineral waters, natural and artificial	11 pounds.
Mushrooms	11 pounds.
Mustard, dried or ground	4 pounds.
Needles of all kinds	1½ ounces.
Office and art supplies	1 dozen pencils, 6 small brushes, 1 pound stationery.
Oil	6½ pounds.
Optical, physical and medical supplies (prostheses, artificial eyes, surgical corsets, hearing aids, etc.) when prescribed.	1 article or set.
Peas and beans	11 pounds.
Purses, bags and brief cases	1 of each.
Razor blades	2 dozen.
Razors and hair clippers	1 of each.
Rice	11 pounds.
Rubbers, felt boots and snow boots	1 pair of each.
Salt (table and cooking)	11 pounds.
Samples of products and materials without salable value, addressed to State and co-operative institutions.	22 pounds.
Seeds, except cotton, mallow, hemp and weed seeds	1 pound.
Smoked food products	11 pounds.
Soap, including toilet soaps	11 pounds.
Spectacles and nose glasses	1 pair of either.
Spices; vanilla, pepper, cinnamon, cloves, saffron, etc	3½ ounces.
Starch and dextrine	11 pounds.
Sugar	11 pounds.
Tableware; china, porcelain and glass	11 pounds.
Tea	3½ ounces.
Thermos bottle	One.
Thread	7 ounces.
Tobacco (cut) and its products	2 pounds.
Toys	2 articles or sets.
Umbrellas and canes	1 article
Vegetables, dried	11 pounds.
Vermicelli and macaroni	11 pounds.
Vinegar, except for cosmetic purposes	11 pounds.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] V. C. BURKE,
Acting Postmaster General.

[F. R. Doc. 48-4327; Filed, May 13, 1948; 8:46 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

YUGOSLAVIA; PARCEL POST

In § 127.373 *Yugoslavia,* of Subpart D (13 F. R. 1058) make the following change:

In paragraph (b) (1) delete subdivision (ii) The footnotes to the table of rates therein contained will be left unchanged, but appended to the table of rates in subdivision (i)

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-4338; Filed, May 13, 1948; 8:48 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

AIR PARCEL POST SERVICE TO GERMANY

In § 127.390 *International air parcel post,* of Subpart E (13 F. R. 1341), make the following changes:

1. Insert, in paragraph (a) between "Finland" and "Gold Coast Colony" in the list of countries therein contained, a new country, "Germany (gift parcels only)"

2. In paragraph (i), insert, between "Egypt" and "Gold Coast Colony" in the table of countries and rates therein contained, a new country, "Germany [3]", with air parcel post rates as follows:

Lbs.	Oz.	Rate	Lbs.	Oz.	Rate
0	4	$0.95	3	8	$6.80
0	8	1.40	3	12	7.25
0	12	1.85	4	0	7.70
1	0	2.30	4	4	8.15
1	4	2.75	4	8	8.60
1	8	3.20	4	12	9.05
1	12	3.65	5	0	9.50
2	0	4.10	5	4	9.95
2	4	4.55	5	8	10.40
2	8	5.00	5	12	10.85
2	12	5.45	6	0	11.30
3	0	5.90	6	4	11.75
3	4	6.35	6	8	12.20
6	12	$12.65	14	8	$26.60
7	0	13.10	14	12	27.05
7	4	13.55	15	0	27.50
7	8	14.00	15	4	27.95
7	12	14.45	15	8	28.40
8	0	14.90	15	12	28.85
8	4	15.35	16	0	29.30
8	8	15.80	16	4	29.75
8	12	16.25	16	8	30.20
9	0	16.70	16	12	30.65
9	4	17.15	17	0	31.10
9	8	17.60	17	4	31.55
9	12	18.05	17	8	32.00
10	0	18.50	17	12	32.45
10	4	18.95	18	0	32.90
10	8	19.40	18	4	33.35
10	12	19.85	18	8	33.80
11	0	20.30	18	12	34.25
11	4	20.75	19	0	34.70
11	8	21.20	19	4	35.15
11	12	21.65	19	8	35.60
12	0	22.10	19	12	36.05
12	4	22.55	20	0	36.50
12	8	23.00	20	4	36.95
12	12	23.45	20	8	37.40
13	0	23.90	20	12	37.85
13	4	24.35	21	0	38.30
13	8	24.80	21	4	38.75
13	12	25.25	21	8	39.20
14	0	25.70	21	12	39.65
14	4	26.15	22	0	40.10

3. Add the following as No. 3 to the footnotes appended to the table of countries and rates in paragraph (i)

[3] Limited to gift parcels only.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-4323; Filed, May 13, 1948; 8:48 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 8487]

PART 2—GENERAL RULES AND REGULATIONS

SHARING OF TELEVISION CHANNELS AND ASSIGNMENT OF FREQUENCIES TO TELEVISION AND NON-GOVERNMENT FIXED AND MOBILE SERVICES

This proceeding arose on a notice of proposed rule making issued August 14, 1947 (12 F. R. 5673), relating to frequency allocations in the bands 44 to 88 megacycles and 174 to 216 megacycles. Pursuant to the terms of the notice and at the request of interested persons a hearing and oral argument was held before the Commission en banc on November 17 to 21, 1947.

Accordingly, it is ordered, This 5th day of May 1948, that the allocation table and rules and regulations be amended as set forth in Attachment A, effective June 14, 1948.

Released: May 6, 1948.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

ATTACHMENT A

REVISED TABLE OF FREQUENCY ALLOCATIONS 44-88 AND 174-216

Band Mc	United States service-allocation	Remarks
44-50 (Note A)	Non-Government: (a) Fixed. (b) Mobile.	Aeronautical markers to remain on 75 mc. as long as required or until moved to another suitable frequency.
50-54	Amateur.	
54-72	Non-Government: 54-60 mc. television broadcasting channel 2. 60-66 mc. television broadcasting channel. 3 66-72 mc. television broadcasting channel 4.	
72-76 (Notes B, C)	Non-Government: (a) Fixed.	
76-88	Non-Government: 76-82 mc. television broadcasting channel 5. 82-88 mc. television broadcasting channel 6.	
174-216	Non-Government: 174-180 mc. television broadcasting channel 7. 180-186 mc. television broadcasting channel 8. 186-192 mc. television broadcasting channel 9. 192-198 mc. television braodcasting channel 10. 198-204 mc. television broadcasting channel.11. 204-210 mc. television broadcasting channel 12. 210-216 mc. television broadcasting channel 13.	

NOTE A: Continued temporary operation of the FM broadcasting stations listed below may be authorized until December 31, 1948, or until a sub-allocation of this band to the fixed and mobile services has been made final and effective by the Commission, whichever date is earlier.

Station	Location	Temporary frequency
WTIC-FM	Hartford, Conn	45.3
WDRC-FM	Hartford, Conn	46.5
WGNB	Chicago, Ill	45.9
WEFM	Chicago, Ill	45.9
WOWO-FM	Ft. Wayne, Ind	44.9
WABW	Indianapolis, Ind	47.3
WMNE	Portland, Maine	45.1
WBZ-FM	Boston, Mass	46.7
WBZA-FM	Springfield, Mass	48.1
WGTR	Worcester, Mass	44.3
WWJ-FM	Detroit, Mich	44.5
W2XMN	Alpine, N. J	44.1
WNBF-FM	Binghamton, N. Y	44.9
WQXR-FM	New York, N. Y	45.9
WABF	New York, N. Y	47.5
WHFM	Rochester, N. Y	45.1
WBCA	Schenectady, N. Y	44.7
WELD	Columbus, Ohio	44.5
WFIL-FM	Philadelphia, Pa	45.3
WDKA-FM	Pittsburgh, Pa	47.5

NON-COMMERCIAL FM BROADCAST STATION IN OPERATION ON OLD BAND

KALW	San Francisco, Calif	44.5
WBEZ	Chicago, Ill	44.5
WBKY	Lexington, Ky	44.5
WBOE	Cleveland, Ohio	44.5

NOTE B: Future assignments to be limited to fixed circuits which, as a result of an engineering study, may be expected to operate in this band on a non-interference basis to the television service.

NOTE C: Aeronautical Marker Beacons are centered on 75.0 mc. with a guard band 74.6 to 75.4 mc. from which other services are excluded.

[F. R. Doc. 48-4300; Filed, May 12, 1948; 8:55 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Reclamation, Department of the Interior

PART 406—REDELEGATIONS OF AUTHORITY BY THE COMMISSIONER OF RECLAMATION

CONSTRUCTION, SUPPLY AND SERVICE CONTRACTS

Section 406.50 (12 F R. 8896) is amended to read as follows:

§ 406.50 *Director of Supply; Chief, Supply Services Division, Denver· Chief, Procurement Section, Denver· Central Supply Services Officer Denver· Regional Supply Officers; Regional Procurement Officers; and District Supply Officers.* The Director of Supply; Chief, Supply Services Division, Denver· Chief, Procurement Section, Denver; Central Supply Services Officer, Denver· Regional Supply Officers; Regional Procurement Officers; and District Supply Officers, subject to the availability of funds therefor, may·

(a) Approve, award and execute contracts for supplies or services where the amount does not exceed $200,000. (Circular Letter 3509, August 20, 1947, as amended by Manual Release dated April 14, 1948.)

(b) Approve and execute change orders and extra work orders pursuant to contracts for supplies, or services where the amount does not exceed $200,000. (Circular Letter 3509, August 20, 1947, as amended by Manual Release dated April 14, 1948.)

(c) Approve and enter into modifications of contracts for supplies or services which are legally permissible, and terminate such contracts if such action is legally authorized, where the amount does not exceed $200,000. (Circular Letter 3509, August 20, 1947, as amended by Manual Release, dated April 14, 1948.)

(Sec. 3, 60 Stat. 238; 5 U. S. C. 1002)

MICHAEL W STRAUS,
Commissioner of Reclamation.

MAY 3, 1948.

[F. R. Doc. 48-4321; Filed, May 13, 1948; 8:45 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

PART 502—DIRECTION OF TRAFFIC MOVEMENT

SHIPMENT OF OVERSEAS FREIGHT

CROSS REFERENCE: For an exception to the provisions of § 502.202, see Part 522 of this chapter, *infra.*

[General Permit ODT 16C, Rev.-1C, Amdt. 1]

PART 522—DIRECTION OF TRAFFIC MOVEMENT—EXCEPTIONS, EXEMPTIONS, AND PERMITS

SHIPMENT OF OVERSEAS FREIGHT

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Order 8989, as amended, Executive Order 9729, as amended, and Executive Order 9919, *It is hereby ordered,* That General Permit ODT 16C, Revised-1C (13 F R. 780) be, and it is hereby amended by changing the last sentence in § 522.661 thereof to read as follows:

§ 522.661 *Shipment of overseas freight.* * * * In the case of overseas freight not for storage such certification shall show the steamship contract number, the name of the vessel, the steamship agent at the port of export, the first date the steamship company will accept such shipment at the port of export, and the number of the OIT validated export license or OIT general license symbol, whichever is applicable.

This Amendment 1 to General Permit 16C, Revised-1C shall become effective May 13, 1948.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, 60 Stat. 345, 61 Stat. 34, 321, Pub. Law 395, 80th Cong., 50 U. S. C. App. Sup. 633, 645, 1152; E. O. 8989, Dec. 18, 1941, 6 F R. 6725; E. O. 9389, Oct. 18, 1943, 8 F. R. 14183; E. O. 9729, May 23, 1946, 11 F R. 5641; E. O. 9919, Jan. 3, 1948, 13 F R. 59)

Issued at Washinton, D. C., this 11th day of May 1948.

J. M. JOHNSON,
Director, Office of Defense Transportation.

[F. R. Doc. 48-4361; Filed, May 13, 1948; 8:51 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Bureau of Customs

[19 CFR, Ch. I]

CONVERSION OF FRENCH FRANC

NOTICE OF PROPOSED INSTRUCTIONS FOR PURPOSE OF ASSESSMENT OF DUTY ON MERCHANDISE IMPORTED INTO THE UNITED STATES

Notice is hereby given that, pursuant to section 251 of the Revised Statutes and sections 522 and 624 of the Tariff Act of 1930 (19 U. S. C. 66, 31 U. S. C. 372, 19 U. S. C. 1624) it is proposed to issue instructions for the conversion of the French franc for the purpose of the assessment of duties on merchandise imported into the United States, the terms of which proposed instructions, in tentative form, are as follows:

To collectors of customs and others concerned:

Reference is made to cases in which appraisement has been withheld or liquidation has been suspended pending the determination of the proper rate or rates for the French franc for customs purposes. (See T. D. 51842, dated February 17, 1948 (13 F. R. 817).)

The Federal Reserve Bank of New York, acting under the authority of section 522 of the Tariff Act of 1930 (31 U. S. C. 372), has certified two rates for the French Franc, one designated as the "Official" rate and the other designated as the "Free" rate, for dates during the period commencing February 10, 1948, and continuing to date. For dates during the period from February 10, 1948, to March 17, 1948, inclusive, such rates were certified as being applicable to the franc for France proper. For dates on and after March 18, 1948, the Bank has certified such "Official" and "Free" rates for the franc for France (Metropolitan) and has informed the Treasury Department that such rates are applicable not only to the franc for France proper but also to the franc for Algeria, Tunisia, and Morocco. The Bank has also informed the Department that, upon request of the Customs Information Exchange, it will certify an "Official" rate and a "Free" rate for the franc for Algeria, Tunisia, and Morocco for dates during the period from February 2, 1948, to March 17, 1948, inclusive, and for the franc for France proper for dates during the period from February 2, 1948, to February 9, 1948, inclusive, but that it has not yet determined what rate or rates it will certify for the franc for France, Algeria, Tunisia, or Morocco for dates on or after January 26, 1948, and prior to February 2, 1948. It is understood that the Bank does not contemplate certifying more than one rate for any French territory other than those above mentioned.

Available information, including information furnished by the French Government, establishes that, under Notice No. 291 of the French Foreign Exchange Office, effective January 26, 1948, and other regulations of the French Government, 50 percent of the United States dollars received for exports of merchandise to the United States from France, Algeria, Tunisia, and Morocco are required to be ceded to the Exchange Stabilization Fund in exchange for francs at the "Official" rate; but that for the remaining 50 percent of such dollars, if they are exchanged within a certain time limit, the exporter receives francs at the "Free" rate. It appears that there may be an exception to this requirement in the case of some purchases made by tourists in France. Apparently some of such purchases may be made entirely with the use of the "Free" rate but the Department has no information indicating that the "Free" rate is uniformly used for the purchase of any particular type of commodity.

The "Official" rate certified by the Federal Reserve Bank of New York for the franc corresponds to the rate used for the 50 percent of United States dollars received for exports and ceded to the Exchange Stabilization Fund at the "Official" rate. The "Free" rate certified by the Federal Reserve Bank corresponds to the rate at which the remaining 50 percent of the United States dollars received for such exports are sold in the free market.

In the case of any importation of merchandise exported from France, Algeria, Tunisia, or Morocco on or after February 2, 1948, the appraiser or collector shall proceed, respectively, with the appraisement and liquidation according to the following procedure, subject to the requirements and conditions outlined below:

1. No rate of exchange shall be used for customs purposes under these instructions except a rate or rates certified by the Federal Reserve Bank of New York for the date of exportation of the merchandise, unless there is a proclaimed value for the currency of France, Algeria, Tunisia, or Morocco, which varies by less than 5 per cent from any certified rate otherwise applicable. If there is a proclaimed value, it shall be used in lieu of any certified rate otherwise applicable from which such proclaimed value varies by less than 5 per cent.

2. Where the appraisement is to be made in the currency of France, Algeria, Tunisia, or Morocco, the appraiser shall designate in his report to the collector the class or classes of currency in which appraisement is made by using the terms applied to such currency by the Federal Reserve Bank of New York, namely, "Official" francs or "Free" francs, as the case may be. If both classes are used on a percentage basis, the percentage of each shall be indicated clearly.

3. For all purposes of appraisement and assessment of duties, the amount of any value established in francs shall be considered to consist of "Official" francs to the extent of 50 per cent of such amount and "Free" francs to the extent of the remaining 50 per cent; except that if the appraiser or collector has credible information that the proportion of 50 per cent at the "Official" rate and 50 per cent at the "Free" rate was not used uniformly during any period in connection with the payment for the particular merchandise on which duty is being assessed and for all other merchandise of the same type, appraisement shall be withheld and liquidation shall be suspended as to all merchandise of the type involved exported to the United States during the period involved, and a detailed report shall be transmitted immediately to the Bureau of Customs.

All the rates that have been certified by the Federal Reserve Bank of New York for dates during the period of dual-rate certifications but have not been published in the Treasury Decisions will be circularized by the Customs Information Exchange in the near future. Following the issuance of these instructions both the "Official" rate and the "Free" rate, as certified by the Federal Reserve Bank, will be published in the Treasury Decisions. Upon request, the Customs Information Exchange will obtain from the Federal Reserve Bank a rate or rates for dates on or after January 26, 1948, but prior to February 2, 1948. If dual rates are certified for that period appraisement shall be withheld and liquidation suspended until instructions are received from the Bureau of Customs.

When information regarding any of the currency conversion practices necessary to comply with the instructions contained herein is not available at a port other than New York the appraiser or collector shall request the Customs Information Exchange, 201 Varick Street, New York 14, New York, to furnish such pertinent information as may be available.

Where at the time of making entry or upon the acceptance of an amended entry of merchandise exported from France, Algeria, Tunisia, or Morocco during the period of dual-rate certifications information is presented to the collector or is in his possession which establishes to his satisfaction the use of the 50 percent "Official"-50 percent "Free" exchange basis for the particular importation in accordance with the pertinent instructions herein, deposit of estimated duties or of supplemental estimated duties calculated in accordance with that information shall be accepted.

Acting Commissioner of Customs.

Approved:

Secretary of the Treasury.

This notice is published pursuant to section 4 of the Administrative Procedure Act (Public Law 404, 79th Congress) Prior to the issuance of the proposed instructions, consideration will be given to any relevant data, views, or arguments pertaining thereto which are submitted in writing to the Commissioner of Customs, Bureau of Customs, Washington 25, D. C., and received not later than 20 days from the date of publication of this notice in the FEDERAL REGISTER. No hearing will be held.

[SEAL] FRANK DOW,
Acting Commissioner of Customs.

Approved: May 6, 1948.

A. L. M. WIGGINS,
Acting Secretary of the Treasury.

[F. R. Doc. 48-4360; Filed, May 13, 1948; 8:51 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 930]

HANDLING OF MILK IN TOLEDO, OHIO, MARKETING AREA

DECISION WITH RESPECT TO PROPOSED AMENDMENTS TO ORDER, AS AMENDED

Pursuant to Public Act No. 10, 73d Congress (May 12, 1933) as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act") and the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders (7 CFR, Supps., 900.1 et seq., 12 F. R. 1159, 4904) a public hearing was held at Toledo, Ohio, on

November 19, 1947 (12 F. R. 7633) upon a proposed amendment to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the Toledo, Ohio, milk marketing area.

Preliminary statement. The material issue presented on the record of hearing was whether the Class I "floor price" should be extended for a limited period in 1948 at the December 1947 "floor price" level.

Upon the basis of the evidence introduced at the hearing the Acting Assistant Administrator filed on March 8, 1948, with the Hearing Clerk, United States Department of Agriculture, a recommended decision with respect to the issue set forth above and considered at such hearing. The notice of filing the recommended decision and opportunity to file written exceptions thereto was published in the FEDERAL REGISTER on March 11, 1948 (13 F R. 1306) In the recommended decision it was found that no amendment action should be taken. No exceptions were filed to the recommended decision.

Findings and conclusions on the record. The findings and conclusions of the recommended decision set forth in the FEDERAL REGISTER (F R. Doc. 48–2178; 13 F. R. 1306) with respect to the issue set forth above are approved and adopted as the findings and conclusions of this decision as if set forth in full herein.

This decision filed at Washington, D. C., this 10th day of May 1948.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.

[F. R. Doc. 48–4346; Filed, May 13, 1948; 8:49 a. m.]

[7 CFR, Part 965]

HANDLING OF MILK IN CINCINNATI, OHIO, MARKETING AREA

DECISION WITH RESPECT TO PROPOSED AMENDMENTS TO ORDER, AS AMENDED

Pursuant to Public Act No. 10, 73d Congress (May 12, 1933) as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act") and the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders (7 CFR, Supps., 900.1 et seq., 12 F. R. 1159, 4904), a public hearing was held at Cincinnati, Ohio, on November 24, 1947 (12 F. R. 7639), upon a proposed amendment to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the Cincinnati, Ohio, milk marketing area.

Preliminary statement. The material issue presented on the record of hearing was whether the Class I "floor price" should be extended for a limited period in 1948 at the December, 1947, Class I "floor price" level.

Upon the basis of the evidence introduced at the hearing the Acting Assistant Administrator filed on March 8, 1948, with the Hearing Clerk, United States Department of Agriculture, a recommended decision with respect to the issue set forth above and considered at such hearing. The notice of filing the recommended decision and opportunity to file written exceptions thereto was published in the FEDERAL REGISTER on March 11, 1948 (13 F. R. 1306) In the recommended decision it was found that no amendment action should be taken. No exceptions were filed to the recommended decision.

Findings and conclusions on the record. The findings and conclusions of the recommended decision set forth in the FEDERAL REGISTER (F R. Doc. 48–2176; 13 F R. 1306) with respect to the issue set forth above are approved and adopted as the findings and conclusions of this decision as if set forth in full herein.

This decision filed at Washington, D. C., this 10th day of May 1948.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.

[F. R. Doc. 48–4347; Filed, May 13, 1948; 8:49 a. m.]

[7 CFR, Part 972]

HANDLING OF MILK IN TRI-STATE MARKETING AREA

DECISION WITH RESPECT TO PROPOSED AMENDMENTS TO ORDER, AS AMENDED

Pursuant to Public Act No. 10, 73d Congress (May 12, 1933) as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act") and the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders (7 CFR, Supps., 900.1 et seq., 12 F R. 1159, 4904) a public hearing was held at Gallipolis, Ohio, on November 25, 1947 (12 F. R. 7640) upon certain proposed amendments to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the Tri-State milk marketing area.

Preliminary statement. The material issue presented on the record of hearing was whether Class I and Class II "floor prices" should be extended for a limited period in 1948 at the December Class I and Class II "floor price" levels, respectively.

Upon the basis of the evidence introduced at the hearing the Acting Assistant Administrator filed on March 8, 1948, with the Hearing Clerk, United States Department of Agriculture, a recommended decision with respect to the issue set forth above and considered at such hearing. The notice of filing the recommended decision and opportunity to file written exceptions thereto was published in the FEDERAL REGISTER on March 11, 1948 (13 F. R. 1308) In the recommended decision it was found that no amendment action should be taken. No exceptions were filed to the recommended decision.

Findings and conclusions on the record. The findings and conclusions of the recommended decision set forth in the FEDERAL REGISTER (F R. Doc. 48–2179; 13 F. R. 1308) with respect to the issue set forth above are approved and adopted as the findings and conclusions of this decision as if set forth in full herein.

This decision filed at Washington, D. C., this 10th day of May 1948.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.

[F. R. Doc. 48–4344; Filed, May 13, 1948; 8:48 a. m.]

[7 CFR, Part 974]

HANDLING OF MILK IN COLUMBUS, OHIO, MARKETING AREA

DECISION WITH RESPECT TO PROPOSED AMENDMENTS TO ORDER, AS AMENDED

Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders (7 CFR, Supps., 900.1 et seq., 12 F R. 1159, 4904), a public hearing was held at Columbus, Ohio, on November 20, 1947 (12 F R. 7640) upon certain proposed amendments to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the Columbus, Ohio, milk marketing area.

Preliminary statement. The material issue presented on the record of hearing was whether Class I and Class II "floor prices" should be extended for a limited period in 1948 at the December, 1947, Class I and Class II "floor price" levels, respectively.

Upon the basis of the evidence introduced at the hearing the Acting Assistant Administrator filed on March 8, 1948, with the Hearing Clerk, United States Department of Agriculture, a recommended decision with respect to the issue set forth above and considered at such hearing. The notice of filing the recommended decision and opportunity to file written exceptions thereto was published in the FEDERAL REGISTER on March 11, 1948 (13 F R. 1309) In the recommended decision it was found that no amendment action should be taken. No exceptions were filed to the recommended decision.

Findings and conclusions on the record. The findings and conclusions of the recommended decision set forth in the FEDERAL REGISTER (F. R. Doc. 48–2177; 13 F R. 1309), with respect to the issue set forth above are approved and adopted as the findings and conclusions of this decision as if set forth in full herein.

This decision filed at Washington, D. C., this 10th day of May 1948.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.

[F. R. Doc. 48–4345; Filed, May 13, 1948; 8:49 a. m.]

[7 CFR, Part 975]

HANDLING OF MILK IN CLEVELAND, OHIO, MARKETING AREA

DECISION WITH RESPECT TO PROPOSED AMENDMENTS TO ORDER, AS AMENDED

Pursuant to Public Act No. 10, 73d Congress (May 12, 1933) as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act") and the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders (7 CFR, Supps., 900.1 et seq., 12 F. R. 1159, 4904) a public hearing was held at Cleveland, Ohio, on November 28, 1947 (12 F. R. 7640) upon certain proposed amendments to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the Cleveland, Ohio, milk marketing area.

Preliminary statement. The material issues presented on the record of hearing were whether:

(1) The Class I "floor price" should be extended for a limited period in 1948 at the December 1947 "floor price" level.

(2) The provisions for determining the price of Class III skim milk utilized in condensed skim or whole milk, evaporated milk, cottage cheese and powdered malted milk should be revised.

Upon the basis of the evidence introduced at the hearing the Acting Assistant Administrator filed on March 4, 1948, with the Hearing Clerk, United States Department of Agriculture, a recommended decision with respect to the issues set forth above and considered at such hearing. The notice of filing the recommended decision and opportunity to file written exceptions thereto was published in the FEDERAL REGISTER on March 9, 1948 (13 F. R. 1268) In the recommended decision it was found that no amendment action should be taken. No exceptions were filed to the recommended decision by producers. Exceptions were filed by the Market Survey Committee representing a major portion of the handlers in the market. These exceptions are hereby overruled.

Findings and conclusions on the record. The findings and conclusions of the recommended decision set forth in the FEDERAL REGISTER (F. R. Doc. 48-2070; 13 F. R. 1268) with respect to the issues set forth above are approved and adopted as the findings and conclusions of this decision as if set forth in full herein.

This decision filed at Washington, D. C., this 10th day of May 1948.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.

[F. R. Doc. 48-4343; Filed, May 13, 1948; 8:48 a. m.]

CIVIL SERVICE COMMISSION

[5 CFR, Part 23]

PARTICIPATION IN POLITICAL MANAGEMENT OR POLITICAL CAMPAIGNS

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the United States Civil Service Commission has under consideration a proposed amendment to its rules issued under section 16 of the act of August 2, 1939, as amended July 19, 1940 (54 Stat. 767, 18 U. S. C. 61p), with respect to the participation in political mangement or political campaigns by residents of municipalities or other political subdivisions in the immediate vicinity of the National Capital in the States of Maryland and Virginia or in municipalities the majority of whose voters are employed by the Government of the United States. The proposed amendment would provide that Federal officers and employees may run for local office as candidates representing a political party or become involved in political management in connection with the campaign of a party candidate for local office and that such officers and employees need not run as independent candidates nor conduct their campaigns in a purely nonpartisan manner.

In this connection a hearing will be held on May 19, 1948, in the Hearing Room of the Tariff Commission located on the third floor of the Tariff Commission Building, F Street between 7th and 8th Streets, NW., beginning at 2 p. m. eastern daylight time, at which interested parties will be afforded an opportunity to present their views to the Commission. Persons desiring to be heard must notify the Commission, attention Mr. Wm. C. Hull, Executive Assistant, prior to 5:15 p. m. May 18, 1948. It is requested that such persons also submit in writing a summary of their views in connection with their appearance at the hearing. Persons not desiring to appear personally may submit a written statement of their views or arguments to the Commission prior to the date of the hearing.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 48-4380; Filed, May 13, 1948; 9:01 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR, Part 3]

[Docket Nos. 8736, 8975]

ALLOCATION OF TELEVISION CHANNELS

NOTICE OF PROPOSED RULE MAKING

1. Notice is given of proposed rule making in the above-entitled matter.

2. The Commission proposes to amend § 3.606 of the Commission's rules and regulations in the manner set forth below.

3. The rule making proceeding hearing Docket No. 8736 is consolidated with this proceeding and all persons who have filed briefs or comments in Docket No. 8736 are hereby made parties to this proceeding. Also, all other persons who have heretofore filed petitions for amendment of said section are hereby made parties to this proceeding.

4. Authority to issue the proposed amendments is vested in the Commission by sections 301, 303 (c), (d), (r), and 307 (b) of the Communications Act of 1934, as amended.

5. Notice is hereby given that a hearing will be held in the above-entitled matter of June 14, 1948, at 10:00 o'clock at the Commission's offices in Washington, D. C. before the Commission en banc for the purpose of hearing testimony and oral argument regarding the Commission's proposals herein. Any interested person desiring to appear at the hearing shall file a notice of appearance with the Commission on or before May 28, 1948. Each notice of appearance shall be accompanied by a statement setting forth the points which the appearing party proposes to make at the hearing and the basis for each proposal.

6. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs or comments filed shall be furnished the Commission.

Adopted: May 5, 1948.

Released: May 6, 1948.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

§ 3.606 *Table showing allocation of television channels.* (a) The table below sets forth the television channels which are available for the areas indicated. Each area is designated by the name of a principal city or cities. The area intended to be included in such designation in each case includes all communities located within the same metropolitan district as the principal city or cities named in the table and in addition all other communities within 15 miles from the city boundary line of the named city or cities provided that the assignment is otherwise consistent with the Commission's rules and regulations and Standards of Good Engineering Practice Concerning Television Broadcast Stations.

(b) It should be noted in considering the table that some cities with relatively small population have as many or more television channels than other cities with far larger population. The reason for this is that the former cities are located in areas where large cities are relatively few and are separated from each other by large distances. Hence, it is engineeringly possible to allocate a maximum number of channels to such cities without causing interference to other stations. The allocation of channels to such cities is not to be construed as a determination by the Commission that eventually such cities will, or will not, have that number of television stations. It is simply a determination by the Commission that it is engineeringly possible to have that number of television stations in such cities.

(c) Changes in the allocation plan may become necessary or desirable from time to time depending upon the needs and demands for television service in the various areas. Such changes may be made, upon the Commission's own motion for rule making proceedings or upon request for rule making proceedings by interested persons, if the proposed changes are found to be feasible and the public interest, convenience or necessity will be served thereby. Such changes in the plan may include, in appropriate circumstances, the re-alloca-

tion of a channel from the designated area to another area or the addition of a channel to an area where insufficient channels have been allocated.

(d) Requests for rule-making proceedings for changes in the allocation plan must be accompanied by a statement explaining in detail the proposed channel change and setting forth the facts relied on to justify the proposed change.

(e) Persons desiring to enter into a voluntary sharing arrangement of a television channel may file application therefor with the Commission pursuant to the provisions of § 3.661 (c)

	Present allocation plan channels	Proposed allocation plan channels
Alabama:		
Anniston		6 (c).
Birmingham	4, 9, 13	2, 4, 9, 13.
Decatur		8.
Dothan		4, 11.
Gadsden		11 (c).
Mobile	3, 5, 9, 11	3, 5, 9, 11.
Montgomery	6, 10	6, 7, 10.
Selma		3 (c).
Tuscaloosa		5, 11.
Arizona:		
Bisbee		7.
Douglas		2, 4, 5.
Flagstaff		3, 6.
Globe		11, 13.
Lowell		12.
Phoenix	2, 4, 5, 7	2, 4, 5, 7, 9.
Prescott		8, 10.
Safford		9.
Tucson		3, 6, 8, 10.
Yuma		7, 9.
Arkansas:		
Blytheville		8 (c).
Camden		9.
El Dorado		5, 7.
Fort Smith		2, 4, 5, 9, 12.
Hot Springs		13.
Jonesboro		6 (c).
Little Rock	3, 6, 8, 10	3, 6, 8, 10.
Pine Bluff		12.
Texarkana		3, 10, 12.
California:		
Bakersfield		8, 12.
Chico		13.
El Centro		2, 4, 5.
Eureka		2, 4, 5, 9.
Fresno	2, 4, 5, 7	2, 4, 5, 7.
Los Angeles	2, 4, 5, 7, 9, 11, 13.	2, 4, 5, 7, 9, 11, 13.
Redding		8, 10.
Riverside	1	
Sacramento	3, 6, 10	3, 6, 10.
San Diego	3, 6, 8, 10	3, 6, 8, 10.
San Francisco, Oakland.	2, 4, 5, 7, 9, 11	2, 4, 5, 7, 9, 11.
San Jose	13	13.
San Luis Obispo		3.
Santa Barbara		6.
Stockton	8	8, 12.
Visalia		10.
Colorado:		
Alamosa		10, 12.
Colorado Springs		11, 13.
Denver	2, 4, 5, 7, 9	2, 4, 5, 7, 9.
Durango		3, 6, 9.
Grand Junction		2, 4, 5, 7, 10, 12.
Greeley		12.
La Junta		10.
Pueblo	3, 6, 8, 10	3, 6, 8.
Sterling		10.
Trinidad		2, 4, 5, 7.
Connecticut:		
Hartford-New Britain.	8, 10	8, 10.
New Haven	6 (c)	6.
Waterbury	12	12.
Delaware:		
Wilmington	7 (c)	7 (c).
District of Columbia:		
Washington	4, 5, 7, 9	4, 5, 7, 9.
Florida:		
Daytona Beach		7.
Ft. Myers		6, 8.
Jacksonville	2, 4, 6, 8	2, 4, 6, 8.
Key West		3, 10.
Lakeland-Plant City.		12.
Miami-Ft. Lauderdale.	2, 4, 5, 7	2, 4, 5, 7, 9.
Orlando		3, 10.
Panama City		6.
Pensacola		7, 13.
St. Augustine		11.
Florida—Continued		
Tallahassee		7, 9, 13.
Tampa St. Petersburg.	2, 4, 5, 7	2, 4, 5, 7, 9.
West Palm Beach-Lake Worth.		11, 13.
Georgia:		
Albany		2, 8.
Athens		13.
Atlanta	2, 5, 8, 11	2, 5, 8, 11.
Augusta	6, 12	6, 12.
Brunswick		13.
Columbus	3, 12	3, 12.
Cordele		6.
La Grange		9 (c).
Macon	4, 7, 10	4, 7, 10.
Rome		7 (c).
Savannah	3, 5, 9, 11	3, 5, 9, 11.
Thomasville		6.
Valdosta		3, 12.
Waycross		10.
Idaho:		
Boise		2, 4, 6, 8, 10.
Coeur d'Alene		12.
Idaho Falls		2, 4, 10.
Lewiston		3, 8, 10.
Nampa		13.
Pocatello		6, 12.
Twin Falls		7, 9, 11.
Preston		8.
Illinois:		
Belleville		11 (c).
Champaign-Urbana.		5 (c), 11 (c).
Chicago	2, 4, 5, 7, 9, 11, 13.	2, 4, 5, 7, 9, 11.
Danville		9 (c).
Decatur	2	2.
Galesburg		7 (c).
Peoria	3, 6, 12	3, 6, 12.
Quincy		11.
Rockford	12	12.
Rock Island	See Davenport, Iowa.	
Springfield	8, 10	8, 10.
West Frankfort		3 (c).
Indiana:		
Bloomington		10.
Evansville	2, 11	2, 11.
Fort Wayne	2, 4, 7, 9	2, 4, 7, 9.
Indianapolis	3, 6, 8, 10, 12	3, 6, 8, 12.
Lafayette		13 (c).
South Bend-Elkhart.	1	10 (c), 12 (c).
Terre Haute	4	4, 7.
Iowa:		
Ames		4.
Burlington		13.
Cedar Rapids	7, 11	7.
Centerville		6 (c).
Cherokee		2.
Council Bluffs	See Omaha.	
Davenport (Moline-Rock Island.	2, 4, 5, 9	2, 4, 5, 9.
Des Moines	2, 4, 5, 9	2, 5, 9, 12.
Dubuque		3.
Fort Dodge		7 (c), 10 (c).
Iowa City		11.
Mason City		3.
Ottumwa		8, 10.
Sioux City	4, 9, 11, 13	4, 9, 11, 13.
Spencer		6 (c).
Waterloo	3, 6, 13	6, 13.
Kansas:		
Coffeyville		12.
Dodge City		4, 6, 10.
Emporia		8.
Fort Scott		6.
Garden City		2.
Great Bend		13.
Hutchison		7, 11.
Kansas City	(See Kansas City, Mo.)	
Manhattan		3.
Salina		6.
Topeka	7, 11	11, 13.
Wichita	2, 4, 5, 9	2, 4, 5, 9.
Kentucky:		
Askland (See Huntington, W. Va.)		
Bowling Green		10 (c).
Frankfort		3.
Henderson		4.
Hopkinsville		3 (c).
Lexington		6, 8, 10, 12.
Louisville	5, 9	5, 9, 13.
Owensboro		6, 9.
Paducah		10.
Louisiana:		
Alexandria		7.
Baton Rouge		3, 5, 9.
Bogalusa		12 (c).
Eunice		2.
Lafayette		13.
Lake Charles		12.
Monroe		3, 10.
New Iberia		11.
New Orleans	2, 4, 6, 7, 10	2, 4, 6, 7, 10.
Shreveport	2, 4, 6, 8	2, 4, 6, 8, 11.
Maine:		
Augusta		13.
Bangor-Old Town		4, 6, 9, 12.
Calais		5.
Fort Kent-St. Francis.		11.
Greenville		8 (c).
Houlton		10.
Lewiston-Auburn		6.
Portland	3, 8	8, 11.
Presque Isle		3, 7, 13.
Waterville		2.
Maryland:		
Baltimore	2, 11, 13	2, 11, 13.
Cumberland		2.
Hagerstown		6 (c), 3 (c).
Massachusetts:		
Boston	2, 4, 7, 9, 13	2, 4, 7, 9.
Fall River-New Bedford.	1 (c)	13.
Lowell-Lawrence-Haverill.	6	6.
Springfield, Holyoke.	1 (c), 3	3.
Worcester	5	5.
Michigan:		
Calumet		4.
Detroit	2, 4, 5, 7	2, 4, 5, 7.
Escanaba		6.
Flint	11	11.
Grand Rapids	7, 9	7, 9.
Houghton		6, 7.
Iron Mountain		13.
Ironwood		12.
Jackson		10 (c).
Kalamazoo	3	3.
Lansing	6	6.
Marquette		3, 9, 11.
Muskegon		12 (c).
Port Huron		10 (c).
Saginaw-Bay City	3, 8, 13	3, 8, 13 (c).
Sault St. Marie		5, 12, 8.
Traverse City		2, 10.
Minnesota:		
Albert Lea		8 (c).
Bemidji		2, 5.
Detroit Lakes		8.
Duluth-Superior	3, 6, 8, 10	3, 6, 8, 10.
Faribault		13.
Fergus Falls		4.
Grand Rapids		4.
Hibbing		13.
International Falls.		7, 12.
Mankato		10.
Minneapolis-St. Paul.	2, 4, 5, 7, 9	2, 4, 5, 7, 9, 11.
Moorhead		(See Fargo, N. Dak.)
Pipestone		7.
Rochester		6.
St. Cloud		3, 12.
Virginia		9 (c), 11 (c).
Willmar		6.
Winona		12.
Mississippi:		
Clarksdale		11 (c).
Columbus		7, 9 (c).
Greenville		13.
Greenwood		3.
Gulfport-Biloxi		8 (c).
Hattiesburg		13.
Jackson	2, 4, 5, 7	2, 4, 5, 7.
Laurel		6, 10.
McComb		8 (c).
Meridian		8, 12.
Natchez		12 (c).
Tupelo		6.
Vicksburg		9, 11.
Missouri:		
Cape Girardeau		6, 8.
Columbia		6.
Hannibal		2.
Jefferson City		8, 10.
Joplin		7, 11, 13.
Kansas City	2, 4, 5, 9	2, 4, 5, 7, 9.
Poplar Bluff		12.
St. Joseph	13	12.
St. Louis	4, 5, 7, 9, 13	4, 5, 7, 9, 13.
Sedalia		3, 12.
Springfield	2, 4, 5, 9	2, 4, 5, 9.
Montana:		
Butte		2, 4, 5, 7.
Billings		2, 4, 5, 7.
Bozeman		9, 11.
Great Falls		3, 6, 8.
Havre		2, 4, 5, 7.
Helena		10, 12.
Kalispel		2, 4, 7.
Lewiston		10, 13.
Miles City		3, 6, 8.
Missoula		9, 11, 13.
Nebraska:		
Beatrice		4.
Grand Island		5, 8.
Hastings		2, 11.
Kearney		13.
Lincoln	10, 12	10, 12.
Norfolk		2 (c).
North Platte		3, 6, 7.

(c) Indicates community station.

	Present allocation plan channels	Proposed allocation plan channels
Nebraska—Con.		
Omaha-Council Bluffs.	3, 6, 7	3, 6, 7.
Scottsbluff		2, 4.
Nevada:		
Carson City		11.
Las Vegas		3, 6, 8, 10.
Reno		2, 4, 5, 7.
Sparks		9.
New Hampshire:		
Berlin. (Mt. Washington.		9, 7.
Concord		10 (c).
Manchester	1 (c)	12.
Portsmouth		3 (c).
New Jersey:		
Atlantic City	8 (c)	8 (c).
Newark	13	13.
New Mexico:		
Albuquerque		2, 4, 5, 7.
Carlsbad		13.
Clovis		6, 12.
Hobbs		8, 10.
Roswell		2, 4, 5.
Santa Fe		9, 11, 13.
Tumcumcari		3, 8.
New York:		
Albany-Schenectady-Troy.	2, 4, 7, 9, 11	2, 4, 7, 9, 11
Binghamton	12	12, 7 (c).
Buffalo-Niagara	4, 7, 9, 13	4, 7, 9.
Elmira		4 (c), 9 (c).
New York City	2, 4, 5, 7, 9, 11	2, 4, 5, 7, 9, 11.
Ogdensburg		4.
Plattsburg		2 (c).
Rochester	2, 6, 11	2, 6, 11.
Syracuse	5, 8, 10	5, 8, 10.
Utica-Rome	3, 13	3, 13.
Watertown		12 (c).
North Carolina:		
Ashville	5, 7, 12	5, 7, 12.
Charlotte	3, 9, 11	3, 9, 11, 13.
Durham	4, 7	4, 7.
Elizabeth City		2.
Goldsboro		9.
Greensboro	2, 10	2, 10.
High Point		12 (c).
New Bern-Kinston		6.
Raleigh		5, 11, 13.
Rocky Mount		5 (c).
Wilmington		2, 10, 12.
Winston-Salem	6, 8	6, 8.
North Dakota:		
Bismarck		2, 4, 5, 7.
Devils Lake		4, 5, 12.
Dickinson		9, 11, 13.
Fargo		6, 10, 13.
Grand Forks		7, 9, 11.
Jamestown		8.
Minot		3, 6, 8, 10.
Valley City		2.
Williston		2, 4, 7.
Ohio:		
Akron	11	7.
Canton	1 (c)	9.
Cincinnati	2, 4, 7, 11	2, 4, 7, 11.
Cleveland	2, 4, 5, 7, 9	2, 4, 5, 11.
Columbus	3, 6, 8, 10	3, 6, 10.
Dayton	5, 13	5, 13.
Hamilton, Middletown.	9	9.
Marion		12.
Portsmouth		12.
Springfield	1 (c)	8.
Toledo	13	11 (c), 13.
Youngstown	13	13.
Oklahoma:		
Ada		11 (c).
Ardmore		3.
Durant		12 (c).
Enid		13.
Lawton		6.
Muskogee		13 (c).
Oklahoma City	2, 4, 5, 9	2, 4, 5, 9.
Ponca City		11.
Shawnee		7.
Tulsa	3, 6, 8, 10	3, 6, 8, 10.
Oregon:		
Astoria		7 (c).
Baker		9, 12.
Bend		13.
Eugene		2, 4, 5.
Klamath Falls		5, 9, 11.
La Grande		5, 7.
Marshfield		6, 8.
Medford		3, 7.
Pendleton		2, 4.
Portland	3, 6, 8, 10, 12	3, 6, 8, 10.
Salem		12.
The Dalles		11.
Pennsylvania:		
Altoona	9	4, 7, 9.
DuBois		5, 11.
Easton, Al., Beth.	8 (c)	8 (c).
Erie	12	12.
Harrisburg	8	10 (c).
Johnstown	13	13.
Lancaster	4 (c)	4 (c).
Philadelphia	3, 6, 10, 12	3, 6, 10, 12.
Pittsburgh	3, 6, 8, 10	3, 6, 8, 10.
Reading	5 (c)	5 (c).
Scranton, Wilkes-Barre.	11, 1 (c)	11, 3 (c).
Williamsport		2, 13.
York	1 (c)	8 (c).
Rhode Island: Providence.	11	11.
South Carolina:		
Charleston	7, 10, 13	7, 10, 13.
Columbia	2, 4, 8	2, 4, 8.
Greenville		10.
Spartanburg		6 (c).
Sumter		5 (c).
South Dakota:		
Aberdeen		3, 5, 7, 11.
Huron		4, 6.
Lead		2, 4, 5, 7.
Mitchel		2, 8.
Pierre		9, 12.
Rapid City		9, 11, 13.
Sioux Falls		5, 9, 12.
Watertown		10, 13.
Yankton		6 (c).
Tennessee:		
Bristol		10 (c).
Chattanooga	3, 6, 10, 12	3, 6, 10, 12.
Clarksville		12.
Dyersburg		3 (c).
Jackson		11, 13.
Johnson City		3 (c).
Knoxville	2, 4, 8, 11	2, 4, 8, 11, 13.
Memphis	2, 4, 5, 7, 9	2, 4, 5, 7, 9.
Nashville	4, 5, 7, 9	2, 4, 5, 7, 9.
Texas:		
Abilene		4, 7, 9, 11, 13.
Amarillo	2, 4, 5, 7	2, 4, 5, 7, 10.
Austin	8, 10, 12	8, 11, 13.
Beaumont, P. Arthur.	3, 6, 8, 10	3, 6, 8, 10.
Brownesville		2, 4, 7.
Corpus Christi	3, 6, 8, 10	3, 6, 8, 10.
Corsicana		8 (c).
Dallas	4, 8, 12	4, 7, 11, 13.
Denison		10 (c).
El Paso	2, 4, 5, 7	2, 4, 5, 7, 9, 11.
Ft. Worth	2, 5, 10	2, 5, 9.
Galveston	9, 11, 13	9, 11, 13.
Harlingen		9.
Houston	2, 4, 5, 7	2, 4, 5, 7.
Laredo		5, 7, 11, 13.
Lubbock		3, 9, 11.
Marshal		13.
Midland		7.
Palestine		2 (c).
Paris		8 (c).
Pecos		3.
Plainsview		13.
San Angelo		2, 5, 8, 10.
San Antonio	2, 4, 5, 7, 9	2, 4, 5, 7, 9, 12.
Sherman		6.
Sweetwater		6.
Temple		7 (c).
Texarkana		(See Arkansas.)
Tyler		5 (c), 9 (c).
Victoria		13 (c).
Waco	3, 6, 9, 11	3, 6, 10, 12.
Weslaco		5.
Witchita Falls		8, 10.
Utah:		
Cedar City		4, 6.
Logan		3 (c).
Price		3.
Provo		12.
Ogden		11, 13.
Salt Lake City	2, 4, 5, 7, 9	2, 4, 5, 7, 9.
Vermont:		
Burlington		5, 8.
Montpelier		10.
Rutland		6 (c).
St. Albans		13.
Virginia:		
Charlottesville		13 (c).
Fredericksburg		13 (c).
Lynchburg		7 (c), 9.
Norfolk, Ptsmth-N News.	4, 7, 11, 13	4, 7, 11, 13.
Portsmouth		5, 9.
Richmond	3, 6, 8, 10	3, 6, 8, 10.
Roanoke	5, 9, 12	3, 5, 12.
Washington:		
Aberdeen		3 (c), 6 (c).
Bellingham		3.
Seattle	2, 5, 7, 11	2, 5, 7, 11.
Spokane	2, 4, 5, 7, 9	2, 4, 5, 7, 9.
Tacoma	4, 9, 13	4, 9, 13.
Vancouver		(See Portland, Oreg.)
Walla Walla		11, 13.
Wenatchee		10.
Yakima		3, 6, 8.
West Virginia:		
Beckley-Bluefield		6.
Charleston	7, 11, 13	2, 7, 11, 13.
Clarksburg		9.
Huntington Ashland, Ky.	5	5, 9.
Parkersburg		4.
Wheeling	12	12.
Wisconsin:		
Appleton		5.
Ashland		2.
Eau Claire		3.
Fond du Lac		11 (c).
Green Bay		4.
La Crosse		8, 10.
Madison	9	7, 9.
Marinette		7.
Milwaukee	3, 6, 8, 10	3, 6, 8, 10.
Oshkosh		2.
Racine, Kenosha	1 (c)	13.
Rhinelander		8.
Sheboygan		9 (c).
Superior-Duluth	3, 6, 8, 10	3, 6, 8, 10.
Wausau		6.
Wyoming:		
Casper		5, 7, 12.
Cheyenne		3, 6, 8.
Laramie		11, 13.
Rock Spring		3, 6, 8.
Sheridan		9, 11, 13.

(c) Indicates Community Station.

[F. R. Doc. 48-4304; Filed, May 12, 1948; 8:56 a. m.]

FEDERAL SECURITY AGENCY

Food and Drug Administration

[21 CFR, Part 511]

[Docket No. FDC 45 (a)]

Canned Green Beans and Canned Wax Beans

AMENDMENTS TO DEFINITIONS AND STANDARDS OF IDENTITY AND STANDARDS OF QUALITY; NOTICE OF PROPOSED RULE MAKING

Correction

In Federal Register Document 48-4312, appearing at page 2592 of the issue for Thursday, May 13, 1948, the following changes should be made:

1. The first sentence of paragraph 1 of the Findings of Fact under "Definitions and Standards of Identity" should read: "Paragraph (a) (1) of § 51.10, which establishes a definition and standard of identity for canned green beans, defines the form of bean ingredient known as 'Whole' as 'Whole pods or transversely cut pods not less than 2¾ inches in length'."

2. The first sentence of paragraph (b) (9) of § 51.11 should read: "Combine the deseeded pods with the trimmings reserved in subparagraph (7) of this paragraph, and, if strings were tested as prescribed in subparagraph (8) of this paragraph, add such strings, broken or unbroken."

FEDERAL SAVINGS AND LOAN SYSTEM

[24 CFR, Part 2021]

[No. 670]

Incorporation, Conversion, and Organization

NOTICE OF AMENDMENT RELATING TO APPLICATION TO ORGANIZE AND PETITION FOR CHARTER

Correction

In Federal Register Document 48-3785, appearing at page 2297 of the issue for Wednesday, April 28, 1948, the signature at the end should read "H. Caulsen."

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

[No. 3]

JEFFERSON WATER CONSERVANCY DISTRICT, OREGON

AVAILABILITY OF WATER

FEB. 6, 1948.

It has been determined in this office that it is factually impossible, because construction work is not sufficiently advanced, to promulgate during the year 1948 any of the public notices of construction charges contemplated in Article 16 of the contract between the United States and the Jefferson Water Conservancy District dated January 4, 1938, as amended by the contract dated September 5, 1945.

2. Water rental. Pursuant to Article 34 of the contract dated January 4, 1938, water will be furnished, when available, upon a rental basis during the irrigation season of 1948:

(a) To lands shown on Map No. 5-0-32[1] as having water available in 1946, under Announcement of Annual Water Rental Charges No. 1 and in 1947, under Announcement of Annual Water Rental Charges No. 2. Charges will be at the rate of $2.50 per irrigable acre whether water is used or not, which charge will entitle the water user to 2.0 acre-feet of water per irrigable acre. Additional water, if available, will be furnished during the irrigation season at the rate of $2.00 per acre-foot, but not to exceed a total of 2½ acre-feet of water will be furnished for each acre for which water service is requested. All charges for the minimum water shall be payable by the District to the United States in advance of the delivery of water. Charges for additional water shall be payable by each landowner of the Jefferson Water Conservancy District on or before December 30 of each year. Charges for such additional water shall be payable by the District to the United States on or before December 31 of each year.

(b) To lands under the North Unit Main Canal of the Jefferson Water Conservancy District as shown on Map No. 5-0-32 as having water available at the beginning of the 1948 season. Charges will be at the rate of $2.50 per irrigable acre of the 40-acre legal subdivision for which water is requested, payment of which will entitle the water user to 2.0 acre-feet of water per irrigable acre, except that if a farm contains less than a 40-acre legal subdivision the minimum charge shall be based on the irrigable area in the entire farm. Additional water, if available, will be furnished during the irrigation season at the rate of $2.00 per ace-foot, but not to exceed a total of 2½ acre-feet of water will be furnished for each acre for which water service is requested. All charges for the minimum water shall be payable by the District to the United States in advance of the delivery of water. Charges for additional water shall be payable by each landowner of the Jefferson Water Conservancy District on or before December 30 of each year. Charges for such additional water shall be payable by the District to the United States on or before December 31 of each year.

(c) To lands not included in the above descriptions, which, depending on construction progress, may have water available during 1948 season from turnouts from canals, laterals, and sublaterals under current construction contracts. These lands are shown on Map No. 5-0-32 as the area for which water might be available during 1948. Charges will be at the rate of $2.50 for each irrigable acre for which water service is requested, which payment shall entitle the purchaser to 2.0 acre-feet per acre. Additional water, if available, will be furnished during the irrigation season at the rate of $2.00 per acre-foot, but not to exceed a total of 2½ acre-feet of water will be funished for each acre for which water service is requested. All charges for the minimum water shall be payable by the District to the United States in advance of the delivery of water. Charges for additional water shall be payable by each landowner of the Jefferson Water Conservancy District on or before December 30 of each year. Charges for such additional water shall be payable by the District to the United States on or before December 31 of each year.

3. Transfer of water. Water in excess of 2½ acre-feet will be delivered only under the following conditions:

(a) There shall be no transfer of the base allowance of water between operation units. An operation unit is defined as the land owned by one operator, and/or leased by him prior to April 1. For purposes of transferring water, lands leased after April 1 will be considered as a separate operation unit and minimum water cannot be transferred to other operation units or to other lands being farmed by the lessee. Base allowance of water in this announcement is 2 acre-feet per irrigable acre.

(b) The owner of an operating unit for which water in excess of 2½ acre-feet is desired may enter into an agreement of transfer with a landowner on any other operating unit who has unused water other than his base allowance. The transferror shall designate the landowner to whom delivery is to be made. The transferee shall pay for the delivery of transferred water at the rate of $2.00 per acre-foot.

4. Water will be delivered and measured by Government forces at the turnout or weir nearest to the individual farm topographic conditions considered.

5. The District will request water delivery for, and certify to the United States as entitled to receive water, only such lands as are owned or held under contract of purchase by persons duly qualified to receive water under the terms of the Reclamation Act of June 17, 1902 (32 Stat. 388) and acts of Congress amendatory thereof or supplementary thereto, and who have duly complied with the requirements of the contract of January 4, 1938, as amended, between the United States and the Jefferson Water Conservancy District, including:

(a) The execution and delivery of the recordable contract as provided for in Article 31 of said contract;

(b) The execution and delivery of an application and affidavit for water service, as provided for in Article 31 of said contract; and

(c) The execution and delivery of a valid recordable contract, in the case of ownership of excess land, as provided for in Article 32 of said contract.

The recordable contracts under (a) and (c) hereof may be combined into one contract.

6. Applications for water on the basis of this announcement will be received at the office of the Secretary of the Jefferson Water Conservancy District at Madras, Oregon, and payments will be made to that office in advance of the delivery of water.

H. T. NELSON,
Acting Regional Director.

[F. R. Doc. 48-4349; Filed, May 13, 1948; 8:50 a. m.]

[1] Filed with the Division of the Federal Register.

CIVIL AERONAUTICS BOARD

[Docket No. 3275]

BRITISH CARIBBEAN AIRWAYS, LTD.

NOTICE OF ORAL ARGUMENT

In the matter of the application of British Caribbean Airways, Ltd., for a permanent (or temporary) foreign air carrier permit authorizing scheduled air transportation of persons, property, and mail between Kingston, Jamaica, and Miami, Florida, under section 402 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 402 and 1001 of said act, that oral argument in the above-entitled matter is assigned to be held on May 20, 1948, at 10:00 a. m. (daylight saving time) in Room 5042, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated at Washington, D. C., May 7, 1948.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F R. Doc. 48-4357; Filed, May 13, 1948; 8:51 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1043]

LONE STAR GAS CO.

NOTICE OF APPLICATION

MAY 10, 1948.

Notice is hereby given that on April 28, 1948, Lone Star Gas Company (Applicant), a Texas corporation with its prin-

cipal place of business at Dallas, Texas, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural-gas facilities subject to the jurisdiction of the Commission, described as follows:

(1) Fox Central Compressor Station, Carter County, Oklahoma—Install three 800 HP gas compressor units to increase the compressor capacity of the station from a rated horsepower of 1,020 HP to a rated horsepower of 3,420 HP together with necessary auxiliary equipment consisting of an additional cooling tower and coils, a new gas cleaner and necessary additional yard piping.

(2) Gainesville Compressor Station, Cook County, Texas—Install one 1,100 HP and two 660 HP gas compressor units increasing compressor facilities of the station from a rated horsepower of 850 HP to a rated horsepower of 3,270 HP, together with necessary auxiliary equipment such as an additional cooling tower and coils, a new gas cleaner and additional yard piping.

(3) Compression facilities, Knox County, Texas—Install two 300 HP gas compressor units with total rated horsepower of 600 HP on 8-inch line "U" south of junction of Benjamin and Seymour tap lines in Knox County, Texas, together with necessary auxiliaries and cooling equipment and appurtenances.

(4) Compression facilities, Grayson County, Texas—Install two 300 HP gas compressor units with a total rated horsepower of 600 HP immediately west of junction of Applicant's Line "EA" with its Line "E" approximately 3.2 miles east of its Denison Tap Line in Grayson County, Texas, together with necessary auxiliary cooling equipment and appurtenances.

Applicant states that: (1) Additional compressor capacity at the Fox Central Compressor Station will increase the through-put gas capacity of its said compressor station to include gas from Doyle Field in Stephens County, Oklahoma, and other fields in that area, will enable Applicant to maintain a pressure of 400 psi on the discharge side of its said compressor station, enabling it to transport greater volumes of gas through its Lines GA–12" GD–12" and G–16" which together with additional installations to be made at the Gainesville Compressor Station will increase the transmission capacity of Lines G–16" and F–16" by 22 million cubic feet per day; (2) increasing the rated horsepower at the Gainesville Compressor Station Applicant will increase volume of gas delivered into E–10" and Line F–16" by approximately 22 million cubic feet per day and will provide greater flexibility in the operation of said lines; (3) additional horsepower on Line "U" at junction of its Benjamin and Seymour Tap Lines will increase the transmission capacity of its "U System" by approximately 4 million cubic feet per day which will materially assist in enabling Applicant to meet the winter demands upon its said "U System"; (4) the additional rated horsepower west of junction of Line "EA" with Line "E" near Denison, Grayson County, Texas, will materially assist Applicant in meeting the winter demands on this portion of its system by increasing the line capacity thereof by 3,600,000 cubic feet per day.

Applicant further states that during the winter of 1947–48, it was unable because of insufficient pipe line capacity to fully meet the demands of its industrial consumers and at the same time furnish adequate service to its domestic consumers in period of peak demand, resulting in curtailment of service on the northern portion of its system to industrial consumers and in some instances public schools, bakeries, office buildings, and similar types of consumers.

Applicant states that the estimated total over-all capital cost of the proposed facilities is $1,059,500.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Rule 37 of the Commission's rules of practice and procedure (18 CFR 1.37) and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with reasons for such a request.

The application of Lone Star Gas Company is on file with the Commission and open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of Rule 8 or 10, whichever is applicable of the rules of practice and procedure (as amended on June 16, 1947) (18 CFR 1.8 and 1.10).

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-4342; Filed, May 13, 1948; 8:48 a. m.]

[Docket No. E-6129]

IDAHO POWER CO.

NOTICE OF SUPPLEMENTAL ORDER AUTHORIZING ISSUANCE OF SECURITIES

MAY 10, 1948.

Notice is hereby given that, on May 6, 1948, the Federal Power Commission issued its supplemental order entered May 5, 1948, authorizing issuance of securities in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-4326; Filed, May 13, 1948; 8:45 a. m.]

FEDERAL TRADE COMMISSION

[File No. 21-407]

WATER-RESISTANT FABRICS AND OUTERWEAR APPAREL

NOTICE OF HOLDING OF TRADE PRACTICE CONFERENCE

At a regular session of the Federal Trade Commission held at its office in the city of Washington, D. C., on the 11th day of May 1948.

Notice is hereby given that a Trade Practice Conference will be held by the Federal Trade Commission concerning the subject of water-resistant fabrics and outerwear apparel in the Hotel Pennsylvania, Seventh Avenue and 33d Street, New York City, on June 3, 1948, commencing at 10 a. m., Daylight Saving Time. The industry comprises those engaged in the manufacture, sale, application, or distribution of the various kinds of textile water repellent compounds; those engaged in the processing, sale, or distribution of textile fabrics used in the manufacture of outerwear apparel represented as affording protection, to any degree, against rain, water, or moisture; and those engaged in the manufacture, sale, or distribution of outerwear apparel so represented. All persons, firms, or corporations engaged in any of such activities are invited to attend or be represented at the Conference and take part in the proceedings. The Conference and further proceedings in the matter will be directed toward the eventual establishment and promulgation by the Commission of trade practice rules for the industry under which unfair methods of competition, unfair or deceptive acts or practices, and other trade abuses may be eliminated and prevented.

By direction of the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 48-4363; Filed, May 13, 1948; 8:55 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 31-523, 31-524, 54-106, 54-107, 59-52]

BUFFALO, NIAGARA AND EASTERN POWER CORP. ET AL.

NOTICE OF FILING OF APPLICATION FOR EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 7th day of May 1948.

In the matters of Buffalo, Niagara and Eastern Power Corporation, File Nos. 54–106, 31–524; Niagara Hudson Power Corporation, File Nos. 54–107; 31–523; Niagara Hudson Power Corporation and its subsidiary companies, respondents, File No. 59–52.

Notice is hereby given that Niagara Hudson Power Corporation ("Niagara Hudson") has filed an application requesting a six-month extension to November 1, 1948, of the time within which Niagara Hudson must dispose of all its interest, direct or indirect, in Buffalo Niagara Electric Corporation and the subsidiaries thereof, as provided by the amended plan of Niagara Hudson approved by order of the Commission dated October 4, 1945 (the time for compliance with such order having been subsequently extended to May 1, 1948 by Commission orders dated October 28, 1946, April 22, 1947 and October 24, 1947)

Notice is further given that any person may, not later than May 17, 1948 at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application proposed to be controverted or may request that he be notified if the Commission should order a hearing thereon. At any time after May 17, 1948, the Commission may take such action as may be deemed appropriate with respect to Niagara Hudson's application.

All interested persons are referred to said application which is on file in the offices of the Commission for a statement of the reasons for such request, which are summarized as follows:

The Commission, by order dated October 4, 1945, approved a plan of reorganization and consolidation of Buffalo, Niagara and Eastern Power Corporation and certain of its subsidiaries, which plan provided, among other things, for the disposition by Niagara Hudson, within one year from November 1, 1945, of all of its interest, direct or indirect, in Buffalo Niagara Electric Corporation unless such time is extended or the disposition requirements of the order modified or altered.

Niagara Hudson states that its subsidiaries, Buffalo Niagara Electric Corporation, Central New York Power Corporation and New York Power and Light Corporation, have pending before the Public Service Commission of the State of New York an application for consent and approval for the consolidation of the three subsidiaries into Buffalo Niagara Electric Corporation as the single surviving corporation. Hearings before the Public Service Commission upon the consolidation have been concluded and Niagara Hudson states that it anticipates a determination of the pending application for consolidation to be made by the Public Service Commission in the near future, after which the matter will be submitted to this Commission for consideration. Niagara Hudson further states that for some time it has been engaged in the formulation of a plan, conditioned upon the pending proposal for the consolidation of its principal operating companies, which will provide for a further simplification of the system and the ultimate elimination of Niagara Hudson as a holding company.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-4351; Filed, May 13, 1948; 8:50 a. m.]

[File No. 70-1650]

COLUMBIA GAS & ELECTRIC CORP. ET AL.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 10th day of May 1948.

In the matter of Columbia Gas & Electric Corporation, Central Kentucky Natural Gas Company and United Fuel Gas Company, File No. 70-1650.

Columbia Gas & Electric Corporation ("Columbia") and its subsidiaries, United Fuel Gas Company ("United Fuel") and Central Kentucky Natural Gas Company ("Central Kentucky"), having filed a joint application-declaration, pursuant to sections 6, 7, 9, 10 and 12 of the Public Utility Holding Company Act of 1935 and Rules U-42, U-43 and U-44 promulgated thereunder, with respect to the transactions summarized below:

Central Kentucky, all of whose properties are located in Kentucky and West Virginia, proposes to sell to United Fuel that portion of its properties which are located in the State of West Virginia consisting of the following:

(a) Kenova Compressor Station, located in Wayne County, West Virginia, together with appurtenant land, structures, measuring and regulating equipment and transmission lines extending from said station to the West Virginia-Kentucky state line on the west bank of the Big Sandy River;

(b) Approximately fifty-three and one-tenth (53.1) miles of natural gas transmission pipe lines ranging in sizes from eight inches to twenty inches in diameter, together with land, land rights, structures and measuring equipment located in Wayne, Cabell and Lincoln Counties, West Virginia.

The application-declaration states that for the past twelve years the pipe lines east of Kenova Compressor Station have been operated under lease by United Fuel in conjunction with operations of its own properties in the same area. The major portion of the gas pumped by this station has been for the benefit of United Fuel, and for which service United Fuel has paid, and is now paying, a pumping charge. It is stated that present trends indicate that even larger volumes of gas will be pumped for United Fuel in the future and that it is, therefore, desirable that United Fuel acquire direct ownership of this station, together with appurtenant facilities. It is further stated that the benefits resulting from said transaction will consist principally in the transfer of ownership of the properties in question to the company by which they can be most conveniently operated and in the elimination of an intercompany lease agreement.

United Fuel proposes to acquire said properties for cash, at their net book value, as of the date of sale. The gross book value (at original cost) of said properties, as of July 31, 1947, was $1,783,944.97, and the net book value, after deducting applicable reserves, was $1,084,924.56.

United Fuel proposes to provide the cash required for the acquisition of said propeties by the issue and sale to Columbia of its 3¼% installment promissory notes, in an amount equal to the net book value of said properties to be acquired by it, or the next lower multiple of $25,000. The notes to be issued by United Fuel to Columbia are to be unsecured and non-negotiable. The principal amounts thereof are to be payable in equal annual installments on August 15th of each of the year 1950 to 1974, inclusive.

Central Kentucky proposes to apply the proceeds of sale of its West Virginia properties to the extent not required for construction purposes in the near future, to the partial prepayment of 3¼% installment promissory notes now held by Columbia in the principal amount of $1,700,000.

The Public Service Commission of West Virginia, by order dated December 5, 1947, approved the acquisition by United Fuel of the assets of Central Kentucky and the issue and sale by United Fuel of its 3¼% notes to Columbia.

The Federal Power Commission, by order dated March 4, 1948, granted a certificate of public convenience and necessity authorizing United Fuel to acquire and operate the facilities of Central Kentucky described above.

Said joint application-declaration having been filed on October 13, 1947 and the last amendment thereto having been filed on April 27, 1948, and notice of filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said joint application-declaration within the period specified, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said joint application-declaration that the requirements of the applicable provisions of the act and rules thereunder are satisfied, and deeming it appropriate in the public interest and in the interests of investors and consumers that said joint application-declaration be granted and permitted to become effective:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24, that the joint application-declaration be, and hereby is, granted and permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-4350; Filed, May 13, 1948; 8:50 a. m.]

[File No. 70-1796]

WEST TEXAS UTILITIES CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 5th day of May A. D. 1948.

West Texas Utilities Company ("West Texas") a public utility subsidiary of Central and South West Corporation, a registered holding company, having filed a declaration and amendments thereto, pursuant to Section 7 of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder, with respect to the issuance and sale by West Texas pursuant to the competitive bidding requirements of Rule U-50 of $5,000,000 principal amount

of its First Mortgage Bonds, Series B, ____%, due March 1, 1978; and

A public hearing having been held, after appropriate notice, with respect to said amended declaration, and the Commission having considered the record made and having filed its findings and opinion herein:

It is ordered, That the said amended declaration, be, and hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24, and subject to the further condition that the proposed issue and sale of bonds shall not be consummated until the results of the competitive bidding, pursuant to Rule U-50, shall have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order may contain such further terms and conditions as may then be deemed appropriate, jurisdiction being reserved for such purposes.

It is further ordered, That, in accordance with the request of West Texas, the ten-day for inviting bids as provided in Rule U-50 be, and hereby is, shortened to a period of not less than six days.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-4354; Filed, May 13, 1948; 8:51 a. m.]

[File No. 70-1798]

NARRAGANSETT ELECTRIC CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 7th day of May A. D. 1948.

Notice is hereby given that an application and an amendment thereto have been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by The Narragansett Electric Company ("Narragansett") a subsidiary of New England Electric System, a registered holding company. Applicant has designated section 6 (b) of the act and Rule U-50 promulgated thereunder as applicable to the proposed transaction.

Notice is further given that any interested person may not later than May 18, 1948, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said application, as amended, which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after May 18, 1948, said application, as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under said act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and U-100 thereof.

All interested persons are referred to said application, as amended, which is on file with this Commission for a statement of the transactions therein proposed which are summarized as follows:

Narragansett proposes to issue and sell $10,000,000 principal amount of First Mortgage Bonds, Series B, due 1978. Said bonds are to be issued under and secured by Narragansett's First Mortgage Indenture, dated as of September 1, 1944, as supplemented by a First Supplemental Indenture to be dated as of May 1, 1948. The interest rate of said bonds which shall be a multiple of ⅛ of 1% and the price, exclusive of accrued interest, which shall be not less than the principal amount of said bonds and not more than 102¾% thereof, are to be determined by competitive bidding pursuant to Rule U-50 promulgated under the act. The proceeds to be derived from said bonds, exclusive of accrued interest and after deducting expenses estimated at $75,000, will be used to retire Narragansett's short-term bank loans estimated to be outstanding prior to the issuance of said bonds in the amount of $6,275,000, the proceeds of which were used for construction purposes and to replenish treasury funds expended in connection with Narragansett's construction program.

The application states that in accordance with the provisions of the First Mortgage Indenture, dated September 1, 1944, based upon the amount of unfunded net property additions at March 31, 1948, $6,003,000 principal amount of said bonds will be issued on the basis of unfunded net property additions and $3,997,000 principal amount thereof will be issued against the deposit of cash with the Trustee. Of the latter amount, Narragansett estimates that it will be entitled to withdraw about $400,000 on the basis of unfunded net property additions at May 1, 1948. In the event the Commission grants said application of Narragansett to issue and sell $10,000,000 principal amount of said Series B bonds, that Company will no longer be authorized to issue any further short-term bank notes under the Commission's order, dated December 18, 1947, and identified by File No. 70-1688. The application further states that the proposed transaction is subject to the approval of the Public Utility Administrator in the Department of Business Regulation of the State of Rhode Island.

Narragansett requests that the Commission's order granting its application herein be effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-4352; Filed, May 13, 1948; 8:50 a. m.]

[File No. 70-1803]

MINNEAPOLIS GAS LIGHT CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 10th day of May A. D. 1948.

Minneapolis Gas Light Company ("Minneapolis"), a public utility subsidiary of American Gas & Power Company ("American") a registered holding company, having filed a declaration and an amendment thereto pursuant to the Public Utility Holding Company Act of 1935, particularly Sections 6 (a) and 7 thereof, regarding the issuance and sale by Minneapolis of six promissory notes, two of which are to be dated on or about June 1, 1948, each in the principal amount of $350,000, two of which are to be dated on or about August 1, 1948, each in the principal amount of $250,000, and two of which are to be dated on or about October 1, 1948, each in the principal amount of $500,000. All notes are to bear interest at the rate of 2¼% per annum and to mature one year from date of issue, and will be issued and sold in equal principal amounts to First National Bank and Northwestern National Bank, both of Minneapolis, Minnesota. The declaration states that Minneapolis will apply $1,000,000 of the proceeds from the sale of said notes to payment of four presently outstanding promissory notes, each in the principal amount of $250,000, two of which mature August 8, 1948, and two of which mature on October 2, 1948, and will apply the balance of such proceeds to finance its current construction program; and

The declaration having been filed April 5, 1948, the amendment thereto having been filed April 29, 1948, and notice of the filing having been given in the form and manner prescribed by Rule U-23 promulgated under the act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

Minneapolis having requested that the Commission's order herein become effective not later than June 1, 1948;

The Commission finding with respect to said declaration, as amended, that the requirements of the applicable provisions of the act and rules thereunder are satisfied, and that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interests of investors and consumers that said declaration, as amended, be permitted to become effective, and also deeming it appropriate to grant the request for acceleration of the effective date of said declaration, as amended;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration, as amended, be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-4353; Filed, May 13, 1948; 8:51 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 11138]

REVEREND M. RUMPEL

In re: Debt owing to Reverend M. Rumpel. F-28-28811-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Reverend M. Rumpel, whose last known address is Zeuzleben, Kreis Unterfranken, Bayern, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation owing to Reverend M. Rumpel, by Brown County Building and Loan Association, 308 Cherry Street, Green Bay, Wisconsin, arising out of a Savings Share Account evidenced by Installment Savings Stock Certificate Number 87, said account maintained with the aforesaid Association, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation, and all rights in, to and under the aforesaid Installment Savings Stock Certificate,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 26, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-4366; Filed, May 13, 1948; 8:56 a. m.]

[Vesting Order 11142]

GEORG JENTSCH ET AL.

In re: Stock owned by Georg Jentsch, F. Scherz and Elizabeth Gebrags. F-28-26014-D-1, F-28-26035-D-1, F-28-26015-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Georg Jentsch, F Scherz and Elizabeth Gebrags, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows: Two (2) shares of no par value common capital stock of the Quaker Oats Company, 141 W. Jackson Boulevard, Chicago 4, Illinois, a corporation organized under the laws of the State of New Jersey, evidenced by a certificate numbered HA14229, registered in the name of Georg Jentsch, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Georg Jentsch, the aforesaid national of a designated enemy country (Germany)

3. That the property described as follows: Four (4) shares of no par value common capital stock of The Quaker Oats Company, 141 W Jackson Boulevard, Chicago 4, Illinois, a corporation organized under the laws of the State of New Jersey, evidenced by certificates numbered HA-14228 for three (3) shares and HA-15990 for one (1) share, registered in the name of F. Scherz, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, F Scherz, the aforesaid national of a designated enemy country (Germany)

4. That the property described as follows: Two (2) shares $100.00 par value preferred capital stock of The Quaker Oats Company, 141 W. Jackson Boulevard, Chicago 4, Illinois, a corporation organized under the laws of the State of New Jersey, evidenced by a certificate numbered GA-24337, registered in the name of Elizabeth Gebrags, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Elizabeth Gebrags, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 26, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-4367; Filed, May 13, 1948; 8:56 a. m.]

[Vesting Order 11157]

ADELLE BRANDES

In re: Rights of Adelle Brandes under insurance contract. File No. F-28-98-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Adelle Brandes, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 9169808, issued by the New York Life Insurance Company, New York, New York, to Walter Brandes, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 30, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-4368; Filed, May 13, 1948; 8:56 a. m.]

[Vesting Order 11158]

JOHN BUHMANN

In re: Estate of John Buhmann, deceased. File D-28-12055; E. T. sec. 16271.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Otto Weih, Emma Weih Witt, Johan (Johann) Buhmann, Herbert Buhmann, Anna Buhmann and Elise Marie Buhmann, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the sum of $1684.56 was paid to the Attorney General of the United States by Armon J. Crawford, administrator of the estate of John Buhmann, deceased;

3. That the said sum of $1684.56 was accepted by the Attorney General of the United States on March 16, 1948, pursuant to the Trading With the Enemy Act, as amended;

4. That the said sum of $1684.56 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of on account of, or owing to, or which was evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 30, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4369; Filed, May 13, 1948; 8:56 a. m.]

[Vesting Order 11160]

ISADORE LANDAUER

In re: Estate of Isadore Landauer, deceased. File No. D-28-12237; E. T. sec. 16462.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Sigfried Adler, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the estate of Isadore Landauer, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany),

3. That such property is in the process of administration by Louis Lowenstein, as administrator, acting under the judicial supervision of the Probate Court, City of St. Louis, Missouri;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 30, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-4370; Filed, May 13, 1948; 8:56 a. m]

[Vesting Order 11168]

AUGUSTA BUSCH

In re: Bank account owned by Augusta Busch. F-28-3338-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Augusta Busch, whose last known address is Helpup i/Lippe, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation of Trust Company of New Jersey, 35 Journal Square, Jersey City 6, New Jersey, arising out of a Savings Account, Account Number 65414, entitled William J. Topken as attorney in fact for Augusta Busch as a national of Germany, maintained at the Union City Branch Office of the aforesaid company located at Union City, New Jersey, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Augusta Busch, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 30, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-4371; Filed, May 13, 1948; 8:56 a. m.]

[Vesting Order 11169]

FRIEDR DICK G. M. B. H.

In re: Debt owing to Friedr Dick G. m. b. H. F-28-28239-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Friedr Dick G. m. b. H, the last known address of which is Essligen a/N., Germany, is a corporation, partnership, association or other business organization, organized under the laws

of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation owing to Friedr Dick G. m. b. H, by Achorn Steel Company, 381 Congress Street, Boston 10, Massachusetts, in the amount of $337.93, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 30, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-4372; Filed, May 13, 1948; 8:56 a. m.]

[Vesting Order 11229]

MRS. VALERIE TSCHERNOFF

In re: Stock owned by and debt owing to Mrs. Valerie Tschernoff. F-28-28276-D-1, F-28-28267-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mrs. Valerie Tschernoff, whose last known address is Fasanenstr. 41, Berlin W 15, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows:

a. Fifty (50) shares of capital stock of Oriental Consolidated Mining Company, now in liquidation, c/o City Bank Farmers Trust Company, Liquidating Agent, 22 William Street, New York, New York, evidenced by certificates numbered 51537, 51538 and 51539 for 10 shares each and numbered 59105 for 20 shares, registered in the name of Mrs. Valerie Tschernoff, together with any and all declared and unpaid dividends thereon, and the right to receive dividends represented by outstanding checks, and all liquidating dividends after the aforesaid company entered upon liquidation, including particularly the First, Second, and Final Liquidation Distributions, and

b. That certain debt or other obligation of the Oriental Consolidated Mining Company, now in liquidation, c/o City Bank Farmers Trust Company, Liquidating Agent, 22 William Street, New York, New York, in the amount of $45.00, as of December 31, 1945, representing accrued but unpaid dividends on stock of the aforesaid Company, formerly registered in the name of Ernest Nathan, now deceased, together with any and all accruals thereto and any and all rights to demand, enforce and collect the aforesaid debt or other obligation,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Mrs. Valerie Tschernoff, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 7, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-4425; Filed, May 13, 1948; 9:04 a. m.]

[Vesting Order 11174]

ADOLPHINE HIRSCHHAUSEN

In re: Debt owing to the personal representatives, heirs, next of kin, legatees and distributees of Adolphine Hirschhausen, deceased. F-28-24935-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Adolphine Hirschhausen, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation of Irving Savings Bank, 115 Chambers Street, New York 7, New York, arising out of a Savings Account, account number 224,572, entitled A. Hall Berry and Antionette D. Berry, payable to either or survivor, in trust for Analiese Hirschhausen, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Adolphine Hirschhausen, deceased, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Adolphine Hirschhausen, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 30, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4375; Filed, May 13, 1948; 8:57 a. m.]